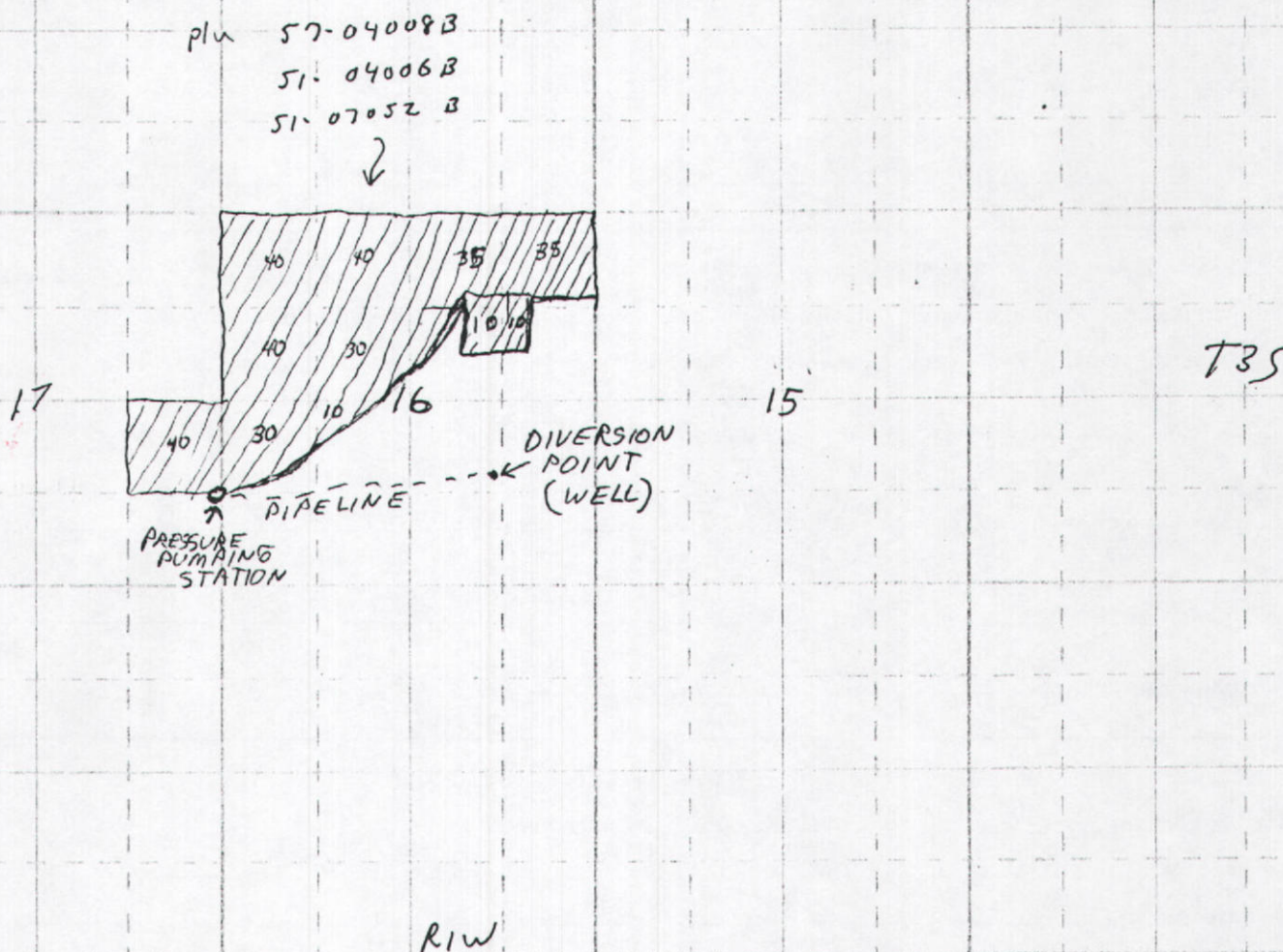


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

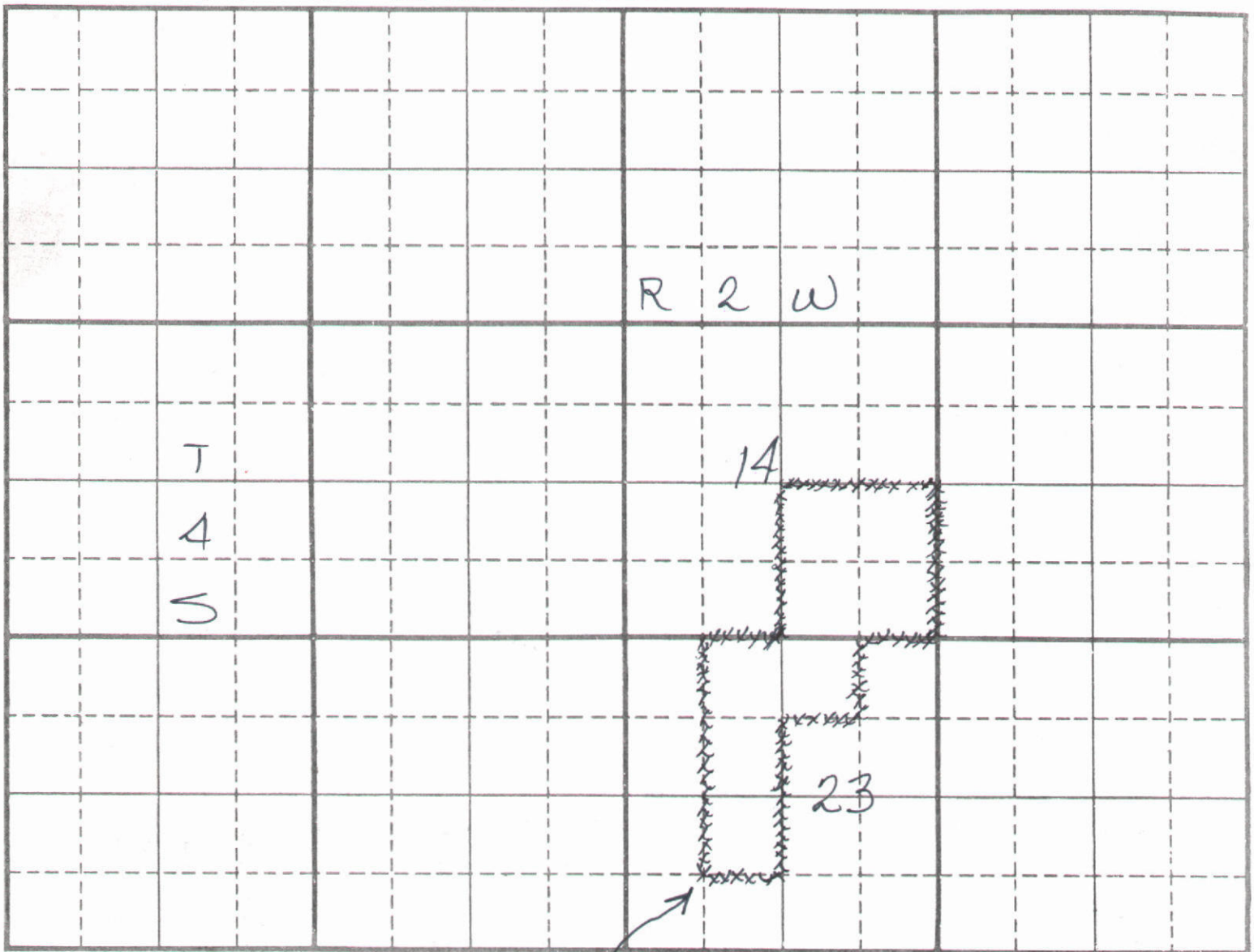


SCALE: 2 inches equal 1 mile. Draw plan in ink.

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(8) Remarks THE PRIORITY DATE CLAIMED IS BASED ON THAT OF PERMITS R-151 AND 14154(57-2119) WHICH LAPSED. NO DOUBT, MR. NETTLETON WAS UNDER THE IMPRESSION THAT ALL NECESSARY FORMS HAD BEEN COMPLETED AND RECORDED. THIS PURPOSE OF THIS AMENDMENT IS TO CORRECT THE IRRIGATION SEASON AND CLARIFY THE FLOW AND STORAGE USES.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of ADA) ss.

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.

Sworn to before me this 29 day of JUNE

Paul Nettleton
For: Joyce Livestock Co.
19 83
Donald Shuff
Notary Public
Residing at BOISE, ID

My commission expires LIFE

FOR DEPARTMENT USE ONLY

Received by RLS Date 6/29/83 Exception filed by: _____ Fowarded to _____ Date _____
Prelim. check by RLS Date 11/8/83 claimant by: _____
\$30.00 fee received by EXEMPT Date _____
Published in Boise Advertiser _____
Dates 11/24 & 12/1/83 _____

PROOF OF PUBLICATION

STATE OF IDAHO
County of Owyhee } s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 27 day of April, 1972, and the last publication being on the 4 day of May, 1972;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 4 day of May, 1972.

Lona S. Hawes
NOTARY PUBLIC

My commission expires 9-10-72

(SEAL)

RECEIVED

MAY 5 1972

Department of Water Administration

NOTICE OF CLAIM TO A WATER RIGHT No. 57 - 4008

Notice is hereby given that Joyce Livestock Company, Murphy, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 6.4 cubic feet per second or 1600 acre feet of water from Fossil Ck. and Bates Ck. tributary of the Snake River with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, T. 4 S., R. 2 W., B. M., Owyhee County.

The water is claimed to be used from January 1 to December 31 for domestic and stock-watering purposes; and from January 15 to May 15 for the irrigation of 320 acres with a priority of July 15, 1919; the place of use is within the SE $\frac{1}{4}$, Sec. 14; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, T. 4 S., R. 2 W., B. M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON,
Director.

Published in the Owyhee Nugget, Marsing, Idaho, on April 27 and May 4, 1972.

57 4008

Page 1 of 10STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3760APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**APPROVED**Name of applicant JOYCE LIVESTOCK CO Phone 834-2237
Post Office address SINTER CREEK MURPHY, IDAHO 83650

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☒ Change period of use ☒ Other Source
2. Describe the reason for the proposed changes Move surface water right to this well to enable diversion prior to review of Application for Permit No. 57-07522 Under Swan Falls Criteria.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use | Source |
|--------------|-----------|--------------------|---------------|---------------|-----------|
| 57-4008 B | 7/15/1999 | 6.4 cfs | Irr | 4/1 to 11/1 | Ground wa |
| 51-4006 B | 3/1/1963 | 2.64 cfs | Irr | 4/1 to 11/1 | Ground wa |
| 51-7052 B | 3/17/1970 | 2.36 cfs | Irr | 4/1 to 11/1 | Ground wa |
2. Total amount of water being transferred 6.4 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge.	County	Local name for diversion
		NW	SE	16	3S	1W	OWYHEE	

5. Lands irrigated or place of use.

Twp	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3S	1W	16	35	38	10	10	40	40	40	30	10	30			40				280
3S	1W	17													40				40

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Total acres 320

PART 1

6. General Information:

a Description of diversion system WELL - ELECTRIC MOTOR + PUMP - PIPE
LINE TO PRESSURE PUMPING POND

b Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes X No If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

57-4008B - LITTLE AFFECT - PASTURE LAND HAS GONE IDLE LAST
4 YEARS DUE TO LOW WATER

51-4006 & 51-7052. Land is idle due to enrollment in CRP. Water right is moved to new
location on a temporary basis, while new application for permit awaits trust water review.

d. Remarks:

Applicant requests that water rights revert to original locations, p/d, etc
after 3 years.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 51-4006, 51-7052, & 57-4008

And said application is hereby APPROVED in part and DENIED in part.

1. Application for transfer of Water Right No. 57-4008 is denied.

2. Application for transfer of Water Right Nos. 51-4006 and 51-7052 is approved subject
to the conditions and limitations as stated in the attached Department of Water
Resources ORDER dated November 13, 1990.

RECEIVED

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Witness my hand this

19th

day of

November, 19 90J. Glen Saylor

Chief, Water Alloc. Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1 Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 157-04008 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3 Source of water FOSBIL CREEK tributary to SNAKE RIVER

4 Date or priority July 15, 1919

5 Water is used for the following purpose:

amount 6.4 cfs for Irr purposes from 1/15 to 5/15
 (cfs/ac-ft) 0.04 for Dom purposes from 1/1 to 12/31
 (cfs/ac-ft) 0.12 cfs for Stock purposes from 1/1 to 12/31
 (cfs/ac-ft)

6. Total amount of water under right 6.4 cubic feet per second and/or _____ acre-feet per annum.

7 Point(s) of Diversion

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NE	NE	27	4S	2W	Owyhee	

8. Lands irrigated or place of use.

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4S	2W	14													40	40	40	40	160
		23			40				40										160

Total acres 320

9. Describe any other water rights used for the same purpose as described above

None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED #57-4008B

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 6.4 for Irr purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp.	Rge.	County	Local name for diversion
		NE	NE	27	45	2W	Owhee	

3. Lands irrigated or place of use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
45	2W	14													40	40	40	40	160
		23		40			40			40	40								160

Total acres 320

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) #57-4008A

1. amount 0.04 cfs for Domestic purposes from 1/1 to 12/31
(cfs/ac-ft)
amount 0.12 cfs for Stockwater purposes from 1/1 to 12/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

No change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs _____
dated _____ in _____ county of _____
- b. License No _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 51-4006 on file with the Idaho Department of Water Resources.
- d. Transfer No _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☒ Other Contract

3. Source of water Groundwater tributary to _____

4. Date or priority 3/1/1963

5. Water is used for the following purpose

amount 3.0 cfs for Irr purposes from 3/1 to 11/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NW	NW	18	7S	6E	Owyhee	

8. Lands irrigated or place of use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	5E	12													40			40	80
		13	40																40
7S	6E	7								40	40	40	40						160
		18						40											40

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Total acres 320

9. Describe any other water rights used for the same purpose as described above _____

10 To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

51-4006B

(If the entire right is to be changed by the applicant, omit part B and C)

1. amount 2.64 cfs for Irr purposes from 3/1 to 11/1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion

Lot	1/4	1/4	1/4	Sec.	Twp	Rge.	County	Local name for diversion
		NW	NW	18	7S	6E	Anghee	

3. Lands irrigated or place of use

Twp	Rge.	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	5E	12													40			40	80
		13	40																40
7S	6E	7							40		40	40	40						160
		18					2												2

Total acres 282

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) 51-4006A

1. amount 0.36 for Irr purposes from 3/1 to 11/1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion

No change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use

Twp.	Rge.	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	6E	18						38											38

Total acres 38

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1 Right evidenced by

- a. Decree No. _____ Decreed to _____
 in case of _____ vs _____
 dated _____ in _____ county of _____
- b. License No. 51-7052 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right

2 Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☒ Other Contract

3. Source of water Groundwater tributary to _____

4. Date or priority 3/17/1970

5. Water is used for the following purpose

amount 2.68 cfs for Irr purposes from 3/1 to 11/1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6 Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum

7 Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NE	NE	13	7S	5E	Owyhee	

8. Lands irrigated or place of use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	5E	12													40			40	80
		13	40																40
7S	6E	7							40	40	40	40	40						160
		18						40											40

Total acres 320

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

51-7052B

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C)

- 1 amount 2.36 for Irr purposes from 3/1 to 11/1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: No change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use.

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
75	SE	12													40			40	80
		13	40																40
75	6E	7								40	40	40	40						160
		18					2												2

51-7052A

Total acres 282**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

- 1 amount 0.32 for Irr purposes from 3/1 to 11/1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: No change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

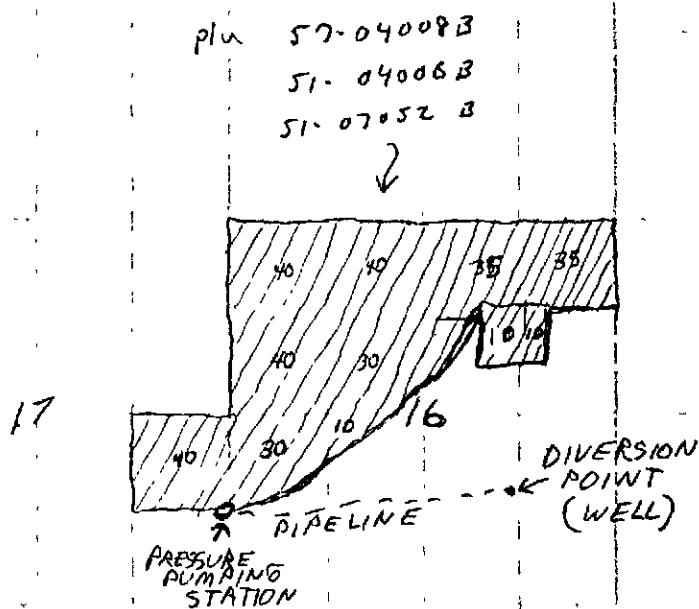
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
75	6E	18					38												38

Total acres 38

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 19th day of APRIL, 19 90.

Joyce Livestock Co. by: Paul H. Hobb, general partner
(Signature of Applicant)

My commission expires 9/15/1994

Dana R. Tally
(Notary Public)

FOR DEPARTMENT USE ONLY

Transfer contains 10 pages and Several attachments

Received by DRT Date 6/11/1990 Protest filed by _____

Prelim. check by SL Fee \$500 W012255

Receipted by DRT Date 6/11/1990

Published in Denver Post Copies of protest forwarded by _____

Pub. dates 7/4 & 7/11/1990 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd _____ by DRT

Copy of transfer sent to lien holder _____

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BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)	
FOR TRANSFER NO. 3760 OF)	ORDER APPROVING TRANSFER
WATER RIGHT NO.s 51-4006,)	IN PART AND
51-7052, & 57-4008 IN THE)	DENYING TRANSFER IN PART
NAME OF JOYCE LIVESTOCK CO.)	

This matter having come before the Idaho Department of Water Resources (department) during the review of application for transfer no. 3760 filed pursuant to Section 42-222, Idaho Code, the Department finds, concludes and orders as follows:

FINDINGS OF FACT

1. On June 11, 1990 Joyce Livestock Co. (applicants) filed an application with the department to transfer 6.40 cfs of water under right no.s 51-4006, 51-7052 & 57-4008. The application proposed changing point of diversions, place of use and period of use for all three rights. The application further proposed changing the source of water under right no. 57-4008 from Fossil Creek to a groundwater source.

2. Groundwater rights no.s 51-4006 and 51-7052 which are presently owned by Susan H. Davis, are both appurtenant to the same 320 acres of land in Township 7S, Range 5E, and Township 7S, Range 6E.

3. Transfer no. 3760 proposes to move a total of 5.00 cfs and 282 acres under right no.s 51-4006 and 51-7052 to land owned by the applicants in Township 3S, Range 1W. The applicants propose to divert a total of 6.40 cfs of groundwater under these two

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rights and right no. 57-4008 to irrigate a total of 320 acres at the new place of use.

CONCLUSIONS OF LAW

1. Section 42-222(1), Idaho Code provides direction and authority to the department in the review and approval of water right transfer applications. The statute states in part:

Any person, entitled to the use of water ... who shall desire to change the point of diversion, place of use, period of use or nature of use of all or part of the water under the right shall first make application to the department of water resources for approval of such change.

The director of the department of water resources shall examine all the evidence and available information and shall approve the change in whole, or in part, or upon conditions, provided no other water rights are injured thereby, the change does not constitute an enlargement in use of the original right, and the change is consistent with the conservation of water resources within the state of Idaho and is in the local public interest as defined in section 42-203A(5), Idaho Code.... In the event that the director of the department of water resources determines that a proposed change shall not be approved as provided in this section, he shall deny the same....

2. Section 42-222, Idaho Code does not provide authority for the director of the department to approve transfer applications which propose to transfer the source of water from surface water to groundwater.

3. Approval of the proposed source change of right no. 57-4008 may constitute an enlargement in the use of this right since water from Fossil Creek has not been a reliable source of water during some irrigation seasons. If water used under the right is diverted from a groundwater source, then the applicant will divert more water during the irrigation season.

4. The proposed transfer of water from Fossil Creek to a groundwater well under right no. 57-4008 should be denied.

RECORDED

NOV 27 1990

5. The transfer of right no.s 51-4006 and 57-7052 should be approved, but limited to the diversion of no more than 5.00 cfs for the irrigation of no more than 282 acres.

ORDER

IT IS HEREBY ORDERED that Application for Transfer No. 3670 of Water Right No. 57-4008 is DENIED, and Application of Transfer No. 3670 of Water Right No.s 51-4006 and 51-7052 is approved subject to the following conditions:

1. The groundwater rights under this transfer are limited to the diversion of 5.0 cfs for irrigation of 282 acres of the 320 acres described above.
2. Within 30 days of the approval of this transfer, the applicants shall describe the location of the 282 acres which are to be irrigated from the new groundwater point of diversion. If the acres proposed for irrigation are not described, the Department will assign the place of use.
3. When combined with all other rights, this transfer shall provide no more than 5.0 acre-feet per acre.
4. A transfer application shall be filed with the Department before the water rights can revert back to the original place of use and point of diversion and a new water right approved before use can continue at the new point of diversion and place use.
5. Approval of this transfer in no way confirms the rights claimed.
6. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
7. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

Dated this 13th day of November, 1990.

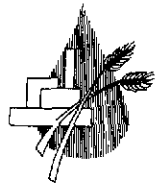
L. Glen Saxton
L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

NOV 27 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that JOYCE LIVESTOCK CO.
(Name of Claimant)
MURPHY, ID 83650 Telephone No 834-2237
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 7/15/1919

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
FOSSIL CREEK tributary to SNAKE CREEK

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	Period of Use From	(Mo, Day)	To	(Mo, Day)
Quantity	<u>6.4 CFS</u>	Use	<u>DIVERSION TO STOR.</u>	Period of Use From	<u>1/15</u>	To	<u>12/31</u>
Quantity	<u>6.4 CFS</u>	Use	<u>IRRIGATION</u>	Period of Use From	<u>1/01</u>	To	<u>11/01</u>
Quantity	<u>.19 CFS</u>	Use	<u>STOCKWATER</u>	Period of Use From	<u>1/01</u>	To	<u>12/31</u>
Quantity	<u>40 AF</u>	Use	<u>STOR. FOR IRRIGATION</u>	Period of Use From	<u>1/01</u>	To	<u>12/31</u>
Quantity	<u>40 AF</u>	Use	<u>IRRIGATION FROM STOR.</u>	Period of Use From	<u>1/15</u>	To	<u>11/01</u>
Quantity	<u>11 AF</u>	Use	<u>STOR. FOR STOCKWATER</u>	Period of Use From	<u>1/01</u>	To	<u>12/31</u>
(4)	<u>6.4 CFS 40 AF</u>	TOTAL QUANTITY USED		<u>1/01</u>		<u>12/31</u>	
	(cfs, af) <u>11 AF</u>	<u>STOCKWATER FROM STOR.</u>					

(5) A) Point of diversion. (Location of point where water is diverted from its source)
NE 1/4 SW 1/4, Sec. 34 Twp 4S Rge. 2W B M., County of OWYHEE
Additional points of diversion _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. HEADGATE, 1 1/2 MILE X 1.5' DEEP DITCH, RESERVOIR IN NENE, 5.27

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
45	2W	14													40	40	40	40	160
		23		40			40			40	40								160

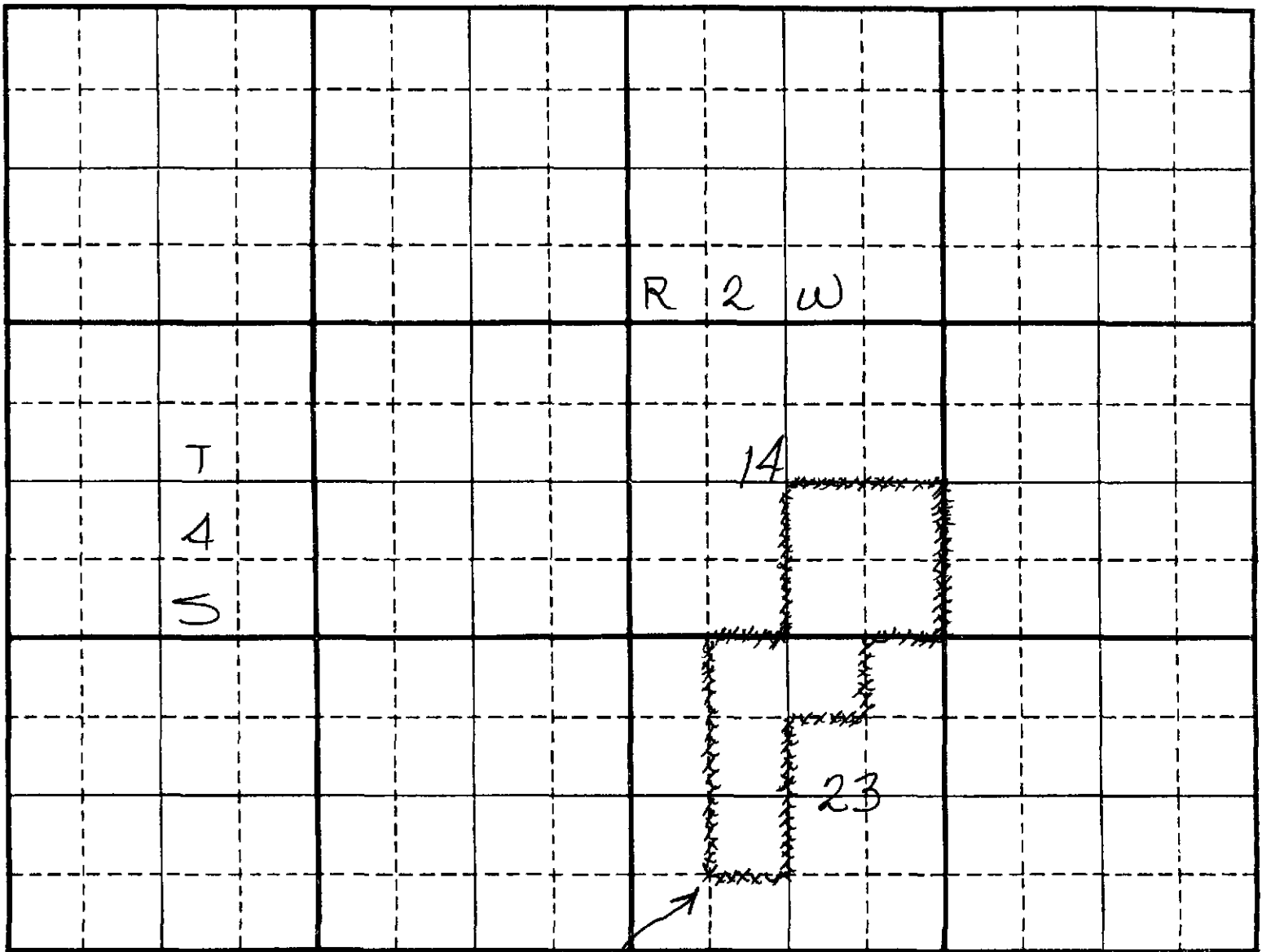
No. of acres 320

B) If water is used for other than irrigation, fully describe that use, being as specific as possible _____

NOTE Include here the type and number of stock watered 700 HEAD/RANGE, 40 HEAD/HORSES

(7) If you are claiming water as a member of an organization, list name of organization: _____

- (8) Remarks THE PRIORITY DATE CLAIMED IS BASED ON THAT OF PERMITS R-151 AND 14154 (57-2119) WHICH LAPSED. NO DOUBT, MR. NETTLETON WAS UNDER THE IMPRESSION THAT ALL NECESSARY FORMS HAD BEEN COMPLETED AND RECORDED. THIS PURPOSE OF THIS AMENDMENT IS TO CORRECT THE IRRIGATION SEASON AND CLARIFY THE FLOW AND STORAGE USES.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of ADA) ss.

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.

Sworn to before me this 29 day of JUNE

Paul Nettleton
for: Joyce Livestock Co.
19 83
Donald Shaff
Notary Public
Residing at BOISE, ID

My commission expires LIFE

FOR DEPARTMENT USE ONLY

Received by DL Date 6/29/83 Exception filed by _____ Date _____
Prelim. check by GLS Date 11/8/83 Forwarded to claimant by _____ Date _____
\$30.00 fee received by EXEMPT Date _____
Published in Snake River _____
Dates 11/24 & 12/1/80 _____

AMENDED

Identification No. _____

Claim No. 57-4008 P

Map No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION**

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Joyce Livestock Company
post office address Murphy, Idaho

2. The point of diversion is in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 27 Township 4S
Range 2W B.M. located on Fossil Creek
(name of source)
tributary to Snake River in Owyhee County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

July 15, 1919 amount: 6.4 c.f.s. or 1600 acre feet
amount: _____ c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Irrigation period of use from Jan. 15 to May 15 (both dates inclusive)
use Domestic period of use from Jan. 1 to Dec. 31 (both dates inclusive)
use Stockwater period of use from Jan. 1 to Dec. 31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of cement
_____ ; length is 5 feet; height is 2 feet;
width at bottom is 1.5 feet; width at top is 1.5 feet, explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped flowing spring ; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____
_____ ;

attach well logs if available; has there been any change in pump or motor since well was first completed _____; if so, give dates and explain _____

- c. Conveying works: length of ditch to place of use is 1 1/2 mi. ~~xxxx~~ feet; width of ditch at top is 4 feet; width of bottom of ditch is 1.5 feet; depth of water is 1.5 feet; grade of ditch per ~~1000~~ mile ~~feet~~ is 14 feet; material through which ditch passes is soil; maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is _____ inches; type of pipe _____; grade of pipe per 1000 feet is _____. Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible no changes to completion of works.

- d. If water is stored. name of reservoir Nettleton Reservoir,
total capacity of reservoir is 40 acre feet, active capacity of reservoir is _____ acre feet,
year construction commenced 1919; year completed 1922; date first used 1919
period of storage is from varies to _____; is reservoir drained each year sometimes,
is reservoir on or off stream off explain ditch conveys water to reservoir from
stream

If feeder canal is used give maximum carrying capacity 614 c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions NE¹/₄NE¹/₄, Sec. 27, T. 4S, R. 2W, B.M.,
Owyhee County

has there been any enlargement of the reservoir since it was first built_____, if so, give dates and describe_____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres.

[illegible]

Total number of acres to be irrigated 320

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

b. Do you get water through a ditch owned by several users? no If yes, give the name of the ditch
_____. The other users and their respective
interests in the ditch are (if known) _____

6 Where water is used for stock watering, give number of each kind of stock watered numbers vary
cattle and horses

7 Where water is used for domestic or municipal purposes give number of families served one irrigator when
name of town supplied working

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities _____

9. Remarks please explain any details of your claim which you feel need clarification or additional explanation
The priority date claimed herein is based on that of Permits R-151 and 14154/
57-2119.

As the flow of both creek and springs varies from year to year and season to
season, no specific figures can be given. All available water is used at all
times possible and has been since the ranch was developed. No doubt, Mr.
Nettleton was under the impression that all necessary forms had been completed
and recorded.

State of Idaho

County of Ada ss.

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 affiants knowledge.

Sworn to before me this

6

day of

June

1972

Joyce Livestock Company
Claimant

Daniel H. Ellison
Notary Public

Residing at

Base 166

My commission expires

2-18-1974

For Department Use Only

Received by _____ Date _____

Exception filed by _____

Forwarded to
claimant by _____

Date _____

Prelim. check by _____ Date _____

Fee received by _____ Date _____ Fee \$ _____

Approved for publication by _____

57-4008

Published in _____ Dates _____

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed.	<u>May 18, 1871</u>	amount:	<u>0.8 c.f.s. or</u>	<u> </u>	acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s. or</u>	<u> </u>	acre feet
		Total claimed:	<u>1.2 c.f.s. or</u>	<u> </u>	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive) If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Water Administration, Statehouse, Annex 2, Boise, Idaho, 83707, is \$10.00.

Identification No. _____
Claim No. 57-4008
Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT
Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Joyce Livestock Company
post office address Murphy, Idaho

2. The point of diversion is in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 27 Township 4S
Range 2W B.M. located on Fossil Creek and Bates Creek
(name of source)
tributary to Snake River in Owyhee County.

3. Dates of priority claimed: List the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

July 15, 1919 amount: 6.4 c.f.s. or 1600 acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Irrigation period of use from Jan. 15 to May 15 (both dates inclusive)
use Domestic period of use from Jan. 1 to Dec. 31 (both dates inclusive)
use Stockwater period of use from Jan. 1 to Dec. 31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

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a. Surface water diversion dam and/or headgate: material is composed of cement
_____; length is 5 feet; height is 2 feet;
width at bottom is 1.5 feet; width at top is 1.5 feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works. Is well flowing or pumped flowing spring; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____
_____;

attach well logs if available, has there been any change in pump or motor since well was first completed _____, if so, give dates and explain _____

c. Conveying works: length of ditch to place of use is 1¹/₂ mi. ~~over~~; width of ditch at top is 4 feet; width of bottom of ditch is 1.5 feet; depth of water is 1.5 feet; grade of ditch per ~~1000~~ ^{mile} feet is 14 feet; material through which ditch passes is soil; maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is _____ inches; type of pipe _____; grade of pipe per 1000 feet is _____. Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible no changes to completion of works

d. If water is stored, name of reservoir Nettleton Reservoir;
total capacity of reservoir is 40 acre feet; active capacity of reservoir is _____ acre feet;
year construction commenced 1919; year completed 1922; date first used 1919
period of storage is from varies to _____; is reservoir drained each year sometimes;
is reservoir on or off stream off explain ditch conveys water to reservoir
from stream
if feeder canal is used give maximum carrying capacity 6.4 c.f.s., if reservoir is off stream, describe
location of reservoir by 40-acre subdivisions NE¹/₄ NE¹/₄ Sec. 27, T4S, R2W, BM
Owyhee County

has there been any enlargement of the reservoir since it was first built_____, if so, give dates and describe_____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres

[illegible]

Total number of acres to be irrigated 320

Explain any significant increase in area irrigated since first use, give dates and acreages if known_____

b Do you get water through a ditch owned by several users? no If yes, give the name of the ditch
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interests in the ditch are (if known) _____

6 Where water is used for stock watering, give number of each kind of stock watered numbers vary
cattle and horses

7. Where water is used for domestic or municipal purposes give number of families served one irrigator
name of town supplied _____ when working

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion Be as specific as possible,
giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
The priority date claimed herein is based on that of Permits R-151
and 14154/57-2119.

As the flow of both creek and springs varies from year to year
and season to season, no specific figures can be given. All
available water is used at all times possible and has been since
the ranch was developed. No doubt, Mr. Nettleton was under the
impression that all necessary forms had been completed and
recorded.

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with
all attached information and certifies that all statements are true and accurate to the best of his knowledge.

4/17/1972
(Date)

Joyce Livestock Co
Wm. Helen Nettleton, gen. partner
(Signature of Claimant)

State of Idaho }
County of Ada } ss.

On this 17 day of April 19 72, personally appeared before me the signer(s) of the
above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Larry L. Page
Notary Public residing at Boise Idaho

My commission expires 7/29/1975

Rec'd #8314 For Department Use Only

Received by <u>JK</u>	Date <u>4-17-72</u>	Exception filed by _____	Forwarded to claimant by _____	Date _____
Prelim. check by <u>JK</u>	Date <u>4/17/72</u>	_____	_____	_____
Fee received by <u>JK</u>	Date <u>4/17/72</u>	Fee \$ <u>10.00</u>	_____	_____
Approved for publication by _____	_____	_____	_____	_____
Published in <u>Quincy News</u>	Dates <u>4-27-5-4-72</u>	<u>57</u>	<u>1008</u>	_____

INSTRUCTIONS

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Paragraph No.

1. Give full name and post office address of person or company making the claim.
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3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion (Example if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows

Date of priority claimed:	<u>May 18, 1871</u>	amount:	<u>0.8</u> c.f.s. or	<u> </u> acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4</u> c.f.s. or	<u> </u> acre feet
		Total claimed:	<u>1.2</u> c.f.s. or	<u> </u> acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

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- 6, 7, & 8. Describe any other uses of water.
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Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

IN THE MATTER OF:)
Permit No. R-151 and)
No. 14154/57-2119)
Claim to a Water Right)

State of Idaho)
County of Owyhee)

RECEIVED
AFFIDAVIT
1972
Department of Water Administration

Charles Nettleton being first duly sworn,

deposes and says: that he lived at the ranch until 1929. From 1919
on, every spring when water was available someone, either one of
the family or a hired man would irrigate the desert entry. About
1921 two men seeded some land to oats and wheat ($\frac{1}{2}$ and $\frac{1}{2}$). In 1923
a man seeded it to alfalfa and stayed there all spring to irrigate.
There was a house at the desert entry land. The work horses were
kept in a feed lot which had a ditch of water running through the
corral. Water ran mostly in the spring and would get low in the
fall. Cattle were grazed in the pastures in early spring before
the farming began.

Although he left in 1929, he knows that the land was
irrigated whenever water was available and that his father thought
that he had fulfilled all requirements for proving up on the
desert and water rights.

Charles R. Nettleton
(signature)

Subscribed and sworn to before me this 7th day of July 1972.

Nicholas K. Shli
(Notary Public)

Residing at Murphy, Idaho.
My commission expires 1/31/76.

57 4008

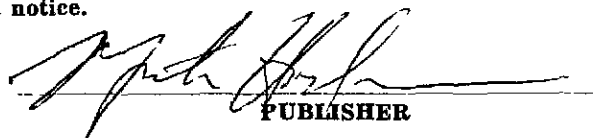
PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, MICK HODGES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by MICK HODGES, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

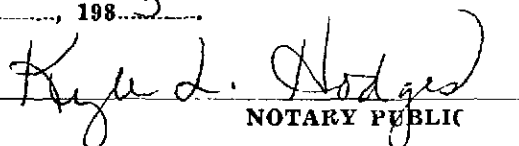
That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 23 day of November, 1983, and the last publication being on the 30 day of November, 1983;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.


PUBLISHER

Subscribed and sworn to before me this 30 day of

November, 1983.


NOTARY PUBLIC

commission expires 3-86

MICROFILMED
(AI)

Department of Lands and Resources
Western Region Office

NOTICE OF CLAIMS TO WATER RIGHTS

The following claims have been filed on water rights created by diversion and beneficial use:

55-4137

COLLETT, BOB D.
P.O. BOX 2200, OREANA, ID
83650

Source: HOUSE SPRING trib.
to SINKS

Priority Date: 04/01/1932

Diversion Pt: SWNE Sec 12 T
09S R 02W

Use: STOCKWATER (0.02
CFS)

DOMESTIC (0.02 CFS)

In: SWNE Sec 12 T 09S R 02W

55-4138

BENNETT, GEORGE L. &/or
DONNA M.

RT. B BOX 271, GRANGE-
VILLE, ID 83624

Source: C.O. CREEK trib. to
CROOKED CREEK

CROOKED CREEK trib. to
PLEASANT VALLEY
CREEK

Priority Date: 03/15/1919

Diversion Pt: NWSW Sec 18 T
09S R 02W SENE Sec 13 T 09S

R 03W

Use: IRRIGATION (1.12 CFS)

In: NESW NWSW Sec 18 T 09

S R 02W SENE NESE Sec 13 T

09S R 03W FOR 56 ACRES

AMENDED

57-4008

JOYCE LIVESTOCK CO.

MURPHY, ID 83650

Source: FOSSIL CREEK trib.
to SNAKE RIVER

Priority Date: 07/15/1919

Diversion Pt: NESW Sec 34 T
04S R 02W

Use: IRRIGATION (6.40 CFS)

IRRIGATION STORAGE
(40.0 AF)

IRRIGATION FROM STOR-
AGE (40.0 AF)

STOCKWATER (0.19 CFS)

STOCKWATER STORAGE
(11.0 AF)

STOCKWATER FROM
STORAGE (11.0 AF)

DIVERSION TO STORAGE
(6.40 CFS)

In: NESE NWSE SWSE SESE
Sec 14 T 04S R 02W NWNE

NENW SENW NESW Sec 23
T 04S R 02W FOR 320 ACRES

57-4099

CREEK
Priority Date: 04/01/1971

Diversion Pt: NESE Sec 15 T
02N R 05W

Use: IRRIGATION (0.05 CFS)

In: NWNE SWNE SENE SE
NW NWSE Sec 15 T 02N R

05W FOR 136 ACRES

Exceptions to a claim may
be filed with the Director,

Dept. of Water Resources
Western Region, Statehouse

Boise, Idaho 83720.
KEN DUNN, Dir.

Published in the Owyhee
Nugget, Owyhee County,
Idaho, 11/23 & 11/30/1983.

IN THE MATTER OF CLAIM TO A WATER)
RIGHT No. 57-4008 in the name of)
JOYCE LIVESTOCK COMPANY)
_____)

AFFIDAVIT OF DISCLAIMER

Joyce Livestock Company, having filed a Claim to a Water Right on April 17, 1972, having this date found a discrepancy in the Claim; hereby corrects and clarifies Claim No. 57-4008.

Joyce Livestock Company disclaims any appropriation from Bates Creek and the reason that Bates Creek appeared on the claim was due to an error. The balance of the Claim as filed April 17, 1972, is true and valid to the best of the claimant's knowledge.

Joyce Livestock Co. by: Helen Nettleton
JOYCE LIVESTOCK COMPANY

BY: Helen Nettleton, General Partner

STATE OF IDAHO)
County of Ada) ss.

On this 6 day of June, 1972, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he she (they) executed the same.

[Signature]
Notary Public
Residing at: Boise ID

My Commission Expires:

2-18, 1974

57 4008

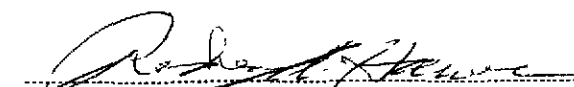
PROOF OF PUBLICATION

STATE OF IDAHO
County of Owyhee } s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 27 day of April, 1972, and the last publication being on the 4 day of May, 1972;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.


PUBLISHER

Subscribed and sworn to before me this 4 day of May, 1972.


NOTARY PUBLIC

My commission expires 9-10-72

(SEAL)

NOTICE OF CLAIM TO A WATER RIGHT No. 57 - 4008

Notice is hereby given that Joyce Livestock Company, Murphy, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 6.4 cubic feet per second or 1600 acre feet of water from Fossil Ck. and Bates Ck. tributary of the Snake River with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, T. 4 S., R. 2 W., B. M., Owyhee County.

The water is claimed to be used from January 1 to December 31 for domestic and stock-watering purposes; and from January 15 to May 15 for the irrigation of 320 acres with a priority of July 15, 1919; the place of use is within the SE $\frac{1}{4}$, Sec. 14; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, T. 4 S., R. 2 W., B. M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON,
Director.

Published in the Owyhee Nugget, Marsing, Idaho, on April 27 and May 4, 1972.

57 4008

claim no. 57-

Western District Office

October 17, 1972

Joyce Livestock Company
Murphy
Idaho 83650

Gentlemen:

This letter is to acknowledge receipt of an affidavit by Mr. Charles Nettleton which is being filed with your claim.

Sincerely,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:mkp

57 4008

June 8, 1972

Re: Claim to a Water Right No. 57-4008

Joyce Livestock Company
Murphy,
Idaho 83650

ATTN: HELEN NETTLETON

Gentlemen:

The Department of Water Administration has completed the processing of your amended claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right, it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your amended claim. If you have any questions, or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

Donald W. McEldowney
Water Rights Supervisor
State Office

DWM:CR

Enc: copy of amended claim

bcc: Western District Office
Boise, Idaho

57 4008

May 15, 1972

Re: Claim to a Water Right No. 57-4008 - Joyce Livestock Company

Joyce Livestock Company
Murphy,
Idaho 83650

ATTN: Helen Nettleton

Gentlemen:

Pursuant to our previous telephone conversation, we are enclosing a Disclaimer for your Claim No. 57-4008, which you filed, in error, a claim to a water right on Bates Creek. We are also enclosing an amended claim form which we would request that you sign and have notarized with the Disclaimer.

If you have any questions, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:cr

Enc: Disclaimer
Amended Claim Form



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 20, 1990

RE: Transfer of Water Right Nos. 51-4006/7052
57-4008

Joyce Livestock Co.
Sinker Creek
Murphy, ID 83650

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water rights (Trans. No. 3760). Be sure to note any conditions of approval as listed on the second page.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

RECEIVED

NOV 27 1990

MEMORANDUM

TO: Files 51-7052 and 57-4008
FROM: Brenda
RE: Transfer No. 3760
DATE: November 14, 1990

See file no. 51-4006 for all correspondence regarding the above
referenced transfer.

RECEIVED

NOV 21 1990

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: GLS

Right Number 57-4008 *Amended* Applicant Joyce Livestock

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 12/16/83
- ☒ Claim published correctly. corrected original
- ☒ Exceptions processed. no fee 11/21/83

By DBS Date 1/24/84

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By pc Date 2/14/84

RECEIVED

RECEIVED
FEB 14 1984

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

DECEMBER 14, 1983

JOYCE LIVESTOCK CO.
MURPHY ID 83650

RE: Claim No. 57-4008

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

Enclosure

MICROFILMED

52-4008-
AMENDED

JOYCE LIVESTOCK CO.

MURPHY, ID 83650

Source: FOSSIL CREEK trib. to SNAKE RIVER

Priority Date: 07/15/1919

Diversion Pt: NESW Sec 34 T 04S R 02W

Use: IRRIGATION	(6.40 CFS)
IRRIGATION STORAGE	(40.0 AF)
IRRIGATION FROM STORAGE	(40.0 AF)
STOCKWATER	(0.19 CFS)
STOCKWATER STORAGE	(11.0 AF)
STOCKWATER FROM STORAGE	(11.0 AF)
DIVERSION TO STORAGE	(6.40 CFS)

In: NESE NWSE SWSE SESE Sec 14 T 04S R 02W NWNE NENW SENW NESW
Sec 23 T 04S R 02W FOR 320 ACRES

RECEIVED
JUL 15 1919

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

April 21, 1972

Re: Application Nos. 55-7012 through 55-7034 & 57-7062 through 57-7071 - B.L.M.
Application No. 51-7064 - Merle Bachman
" " 57-7053 - James &/or Barbara Rosenthal
Claim No. 57-4008 - Joyce Livestock Company
" " 57-4009 - Mildred E. King

Owyhee Nugget
Marsing,
Idaho 83639

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

(signature of claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/BL
Enc: legal notices

Bill submitted 5-19-72 cl

57 4008

NOTICE OF CLAIM TO A WATER RIGHT

No. 57-4008

Notice is hereby given that Joyce Livestock Company,
Murphy, Idaho

has filed a claim to a water right established by diversion and appli-
cation to beneficial use of 6.4 cubic feet per second /^{or 1600}acre feet
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with point of diversion in the NE~~1~~NE~~4~~, Sec. 27, T. 4S, R. 2W, B.M.,
Owyhee County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
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of 320 acres
with a priority of July 15, 1919;
the place of use is within the SE~~1~~, Sec. 14; NW~~1~~NE~~4~~, NE~~1~~NE~~4~~, SE~~1~~NE~~4~~,
NE~~1~~SW~~4~~, Sec. 23, T. 4S, R. 2W, B.M.

Any exception to this claim of water right may be filed with the
Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707,
~~on or before~~

R. KEITH HIGGINSON

Director

Published in the Owyhee Nugget, Marsing, Idaho
on April 27 and May 4, 1972.

57 4008