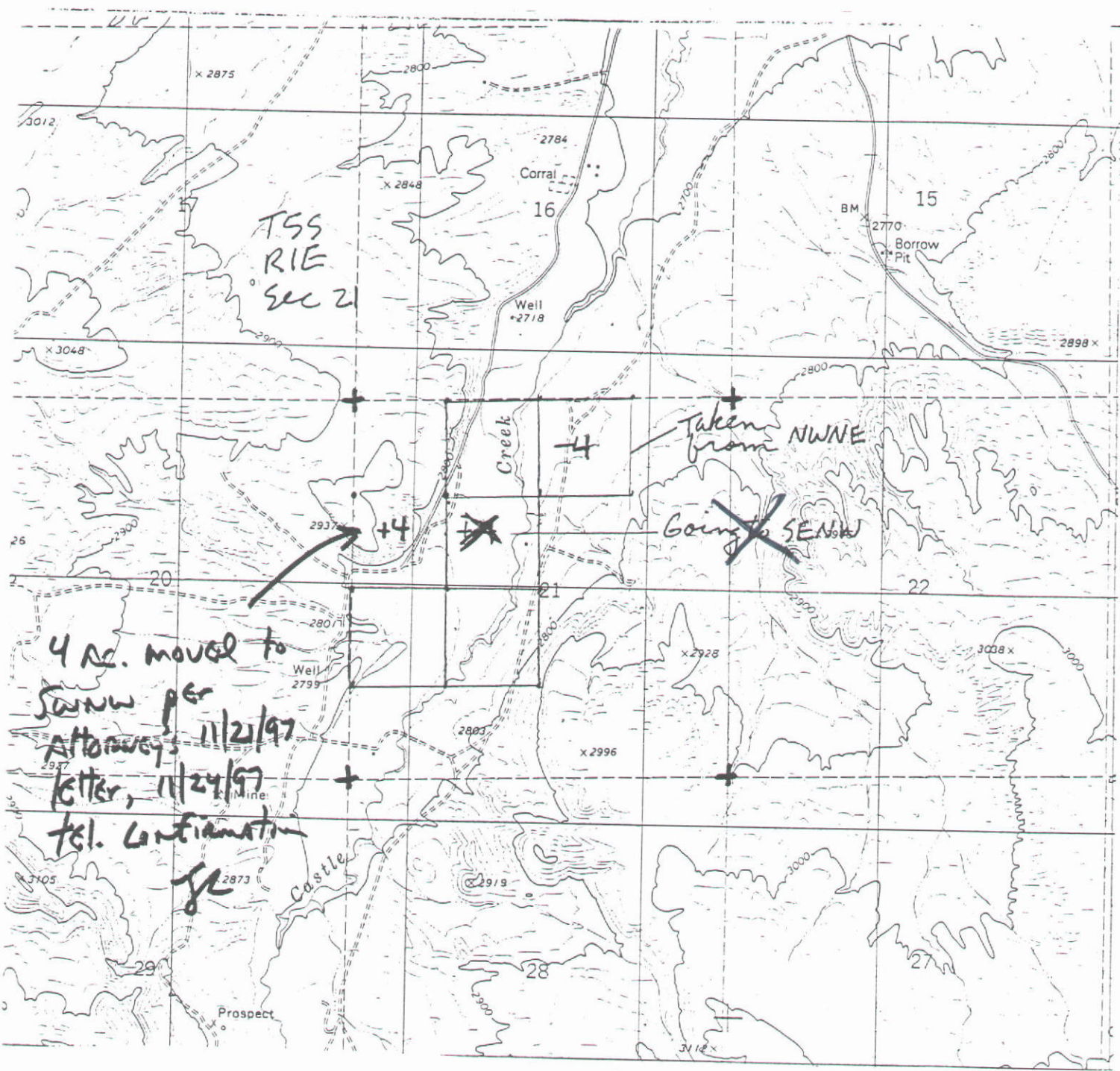


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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.



MICROFILMED
JUN 09 1998

RECEIVED
DEC 26 1997

WATER RESOURCES
WESTERN REGION

The Owyhee Avalanche

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
COUNTY OF OWYHEE)

RECEIVED

DEC 15 1997

WATER RESOURCES
WESTERN REGION

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in

said newspaper, in Two (2)

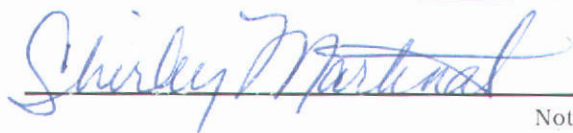
(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

December 3 and 10, 1997

Signed



Subscribed and sworn to me this 10th day of December A.D., 19 97



Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires April 22, 2002

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS, TRANSFER NO. 5173

Notice is given that MICHAEL & CHARLEINE RANDALL OF 7761 MURPHY RD, MELBA ID 83641 have applied to the Department of Water Resources (DWR) to change the Place of Use pursuant to I.C. § 42-222 for rights recorded as follows:

All locations in this notice are T5S R1E, Owyhee County. Right #57-00084, priority 6-1-1870, .50 cfs.

#57-00101, 6-1-1887, .10 cfs.

#57-00111, 6-1-1890, .60 cfs.

#57-00133, 6-1-1902, .20 cfs.

#57-00146, 6-1-1906, .30 cfs.

The above **decreed rights** are from Castle Creek, tributary to Snake River. Diversion point(s) is not decreed. A common land list for irrigation, domestic and stock uses includes unspecified # of acres in W 1/2 S21.

License #57-02210A 8-16-1954, 1.80 cfs from ground water (geothermal well in cooling pond) located in NWSW S21 to irrigate 127 acres and for domestic use in W 1/2 S21.

The rights are recommended by DWR in the Snake River Basin Adjudication (SRBA) as above except as follows:

Castle Creek rights include 4-1 instead of 6-1 in each date of priority, 2 creek diversions are in SENW S21 and SESE S29, use if for irrigation only.

Licensed well & cooling pond is for irrigation use only.

All rights when combined are limited to 2.10 cfs to irrigate 109 acres in NWNE & W1/2 S21.

PROPOSED CHANGE FOR ALL RIGHTS

Cease irrigating 4 acres of public (BLM) land in NWNE S21 and add 4 acres of private land in SWNW S21. Total use will include rights as recommended in SRBA (except use on public land) with 2 creek diversions and geothermal well/pond to irrigate 109 acres with 2.10 cfs, all on applicants' land in W/12 S21. This change is filed to resolve a SRBA objection.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 on or before DECEMBER 22, 1997. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
12/3&10/97

VICF
JUN 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

AMENDED

AMENDED

TRANSFER NO. 5173
WATER RIGHT NO(S). 57-00084/57-00101/57-00111/57-00133
57-00146/57-02210A

This is to certify that: **CHARLIENE RANDALL**
MICHAEL W RANDALL
7761 MURPHY RD
MELBA ID 83641

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 57-00084 : IRRIGATION Priority: 04/01/1870	04/01 to 10/15	0.50 CFS	195.4 AF
Right No. 57-00101 : IRRIGATION Priority: 04/01/1887	04/01 to 10/15	0.10 CFS	39.1 AF
Right No. 57-00111 : IRRIGATION Priority: 04/01/1890	04/01 to 10/15	0.60 CFS	234.4 AF
Right No. 57-00133 : IRRIGATION Priority: 04/01/1902	04/01 to 10/15	0.20 CFS	78.1 AF
Right No. 57-00146 : IRRIGATION Priority: 04/01/1906	04/01 to 10/15	0.30 CFS	117.2 AF
Right No. 57-02210A : IRRIGATION Priority: 08/16/1954	03/15 to 11/15	1.80 CFS	490.5 AF
TOTAL:		* 2.18 CFS	* 490.5 AF

SOURCE

TRIBUTARY OF

Right No. 57-00084/57-00101/57-00111/57-00133/57-00146 :
CASTLE CREEK SNAKE RIVER

Right No. 57-02210A :
GROUNDWATER

SCANNED
OCT 22 2004

MICROFILMED
JUN 09 1998

TRANSFER NO. 5173
WATER RIGHT NO(S). 57-00084/57-00101/57-00111/57-00133
57-00146/57-02210A

LOCATION OF POINT(S) OF DIVERSION:

Right No. 57-00084/57-00101/57-00111/57-00133/57-00146 :

SENE , Sec. 21, Township 05S, Range 01E

SESE , Sec. 29, Township 05S, Range 01E

Right No. 57-02210A :

NWSW , Sec. 21, Township 05S, Range 01E

OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S 01E 21	NENW 23	SWNW 16	SENE 30	
	NESW 12	NWSW 28		109
		Total number of acres irrigated:		109

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- * 3. Rights 57-00084, 57-00101, 57-00111, 57-00133, 57-00146 and 57-02210A shall not exceed a total combined diversion rate of 2.18 cfs from all points of diversion, a total annual diversion volume of 490.5 af at the field headgate, and the irrigation of 109.0 acres.

Dated this 18th day of March, 1998.

J. Blum Saylor
 Chief, Water Allocation Bureau

MICROFILMED
 JUN 09 1998

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF TRANSFER NO.)
5173 IN THE NAME OF MICHAEL)
W. RANDALL AND CHARLIENE)
RANDALL)
_____)

**ORDER GRANTING
PETITION FOR RECONSIDERATION**

On January 29, 1998, the Department of Water Resources (department) issued Transfer No. 5173 as a Preliminary Order in the name of Michael W. Randall and Charliene Randall (Randall or petitioner) subject to certain conditions and limitations.

On February 17, 1998, Randall filed a Petition for Reconsideration (petition) in connection with the transfer approval.

ORDER

The department has reviewed the petition and HEREBY ORDERS that the petition is **GRANTED** under the following terms:

1. Granting of the petition allows reconsideration of the Preliminary Order by the department but does not represent department agreement with any provision of the petition.
2. This matter shall remain pending before the department during reconsideration of the Preliminary Order.

Dated this 6th day of March, 1998.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED
JUN 09 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5173
WATER RIGHT NO(S). 57-00084/57-00101/57-00111/57-00133
57-00146/57-02210A

This is to certify that: **CHARLIENE RANDALL**
MICHAEL W RANDALL
7761 MURPHY RD
MELBA ID 83641

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 57-00084 : IRRIGATION Priority: 04/01/1870	04/01 to 10/15	0.50 CFS	195.4 AF
Right No. 57-00101 : IRRIGATION Priority: 04/01/1887	04/01 to 10/15	0.10 CFS	39.1 AF
Right No. 57-00111 : IRRIGATION Priority: 04/01/1890	04/01 to 10/15	0.60 CFS	234.4 AF
Right No. 57-00133 : IRRIGATION Priority: 04/01/1902	04/01 to 10/15	0.20 CFS	78.1 AF
Right No. 57-00146 : IRRIGATION Priority: 04/01/1906	04/01 to 10/15	0.30 CFS	117.2 AF
Right No. 57-02210A : IRRIGATION Priority: 08/16/1954	03/15 to 11/15	1.80 CFS	490.5 AF
TOTAL:		* 2.18 CFS	* 490.5 AF

SOURCE

TRIBUTARY OF

Right Nos. 57-00084/57-00101/57-00111/57-00133/57-00146 :
CASTLE CREEK

SNAKE RIVER

Right No. 57-02210A :
GROUNDWATER

MICROFILMED

JUN 09 1998

TRANSFER NO. 5173
WATER RIGHT NO(S). 57-00084/57-00101/57-00111/57-00133
57-00146/57-02210A

LOCATION OF POINT(S) OF DIVERSION:

Right Nos. 57-00084/57-00101/57-00111/57-00133/57-00146 :

SENW , Sec. 21, Township 05S, Range 01E

SESE , Sec. 29, Township 05S, Range 01E

Right No. 57-02210A : NWSW , Sec. 21, Township 05S, Range 01E

OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S 01E 21	NENW 23	SWNW 16	SENW 30	
	NESW 12	NWSW 28		109
	Total number of acres irrigated:			109

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 57C.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
- * 7. The total instantaneous diversion of water from all points of diversion under Transfer 5173 shall not exceed 2.18 cfs, nor total combined annual volume of 490.5 af.
- * 8. Rights 57-00084, 57-00101, 57-00111, 57-00133, 57-00146 and 57-02210A when combined shall not exceed a total diversion rate of 2.18 cfs, a total annual diversion volume of 490.5 af at the field headgate, and the irrigation of 109.0 acres.

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JUN 09 1998

TRANSFER NO. 5173
WATER RIGHT NO(S). 57-00084/57-00101/57-00111/57-00133
57-00146/57-02210A

CONDITIONS OF APPROVAL AND REMARKS

9. Right 57-02210A shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
10. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under Right 57-02210A and shall only divert groundwater under this right when sufficient water from the appurtenant surface water rights cannot be delivered to the right holder.

Dated this 28th day of

January, 1998

J. Glen Saylor
Chief, Water Allocation Bureau

MICROFILMED

JUN 09 1998

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5173

APPLICATION FOR TRANSFER OF WATER RIGHT RECEIVED
PART 1 JAN 07 1998

Name of applicant Michael W & Charlene Randall Phone 208 473 2801
Post Office address 7761 Murphy Rd Malba Id 83641

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

2. Describe the reason for the proposed changes To relocate 4 acres off BLM property onto private property to resolve SRBA objections. NWSE SRBA Recommendations include combined 2.10 cfs for 109 acres. BLM land is in NWNE 5.21, move 4 acres from there to private land in SWNW.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE Attachment 1

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
			<u>IRRIGATION</u>	
				to
				to
				to
				to

combined rights limited to

2. Total amount of water being transferred 2.10 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Castle Creek tributary to SNAKE RIVER

4. Point(s) of Diversion: Groundwater (57-02210A) N/A

all other rights

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SE	NW	21	5S	1E	Owyhee	Castle Creek, downstream pld
	NW	SE	SE	29	5S	1E	"	" " , upstream pld
	SE	NW	SW	21	5S	1E	"	geothermal well (57-02210A)

5. Lands irrigated or place of use: All rights combined limited to 109 acres as below:

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	
5S	1E	21					23			12 16	34 30	12	28						109
																		</	

MICROFILMED
JUN 09 1998

CONTACT PERSON = Attorney Daniel Stenson - SEE Attachment 5

PART 1

6. General Information:

a. Description of diversion system

Surface H₂O: Dam, pond, ditch
Groundwater: well, pump, pond, ditch

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ☒ Yes ☐ 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:
BLM property - release attached

d. Remarks:

Attachment # - land will no longer be irrigated.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____, subject to the following limitations and conditions:
And said application is hereby _____

Witness my hand this _____ day of _____

MICROFILMED
JUN 09 1998

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R57-00084

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	
IRRIGATION	04/01 to 10/15	0.50 CFS	195.4 aka (VDR)

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
CASTLE CREEK	SNAKE RIVER

Priority: 04/01/1870

LOCATION OF POINT(S) OF DIVERSION:

SESENW , Sec. 21, Township 05S, Range 01E
 NWSESE , Sec. 29, Township 05S, Range 01E
 OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S	01E	21	NENE 4 Out	NENW 23	SNNW 12 + 4 = 16	
			SENE 30	NESW 12	NWSW 28	109
Total number of acres irrigated:						109

CONDITIONS/REMARKS:

1. USE OF THIS RIGHT WITH RIGHT NOS. 57-00101, 57-00111, 57-00133, 57-00146 AND 57-02210A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.18 CFS.
2. USE OF THIS RIGHT WITH RIGHT NOS. 57-00101, 57-00111, 57-00133, 57-00146 AND 57-02210A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 109.0 ACRES IN A SINGLE IRRIGATION SEASON.
3. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00101, 57-00111, 57-00133 & 57-00146.

MICROFILMED
 JUN 09 1998

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Claim No. R57-00101

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	
IRRIGATION	04/01 to 10/15	0.10 CFS	39.1 <i>aka</i> (Vol)
<u>SOURCE</u>	<u>TRIBUTARY OF</u>		
CASTLE CREEK	SNAKE RIVER		

Priority: 04/01/1887

LOCATION OF POINT(S) OF DIVERSION:SESENW , Sec. 21, Township 05S, Range 01E
NWSESE , Sec. 29, Township 05S, Range 01E
OWYHEE CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S	01E	21	NWNE 4	NENW 23	SWNW 12	
			SENE 30	NESW 12	NWSW 28	109
Total number of acres irrigated:						109

CONDITIONS/REMARKS:

1. USE OF THIS RIGHT WITH RIGHT NOS. 57-00084, 57-00111, 57-00133, 57-00146 AND 57-02210A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.18 CFS.
2. USE OF THIS RIGHT WITH RIGHT NOS. 57-00084, 57-00111, 57-00133, 57-00146 AND 57-02210A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 109.0 ACRES IN A SINGLE IRRIGATION SEASON.
3. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00084, 57-00111, 57-00133 & 57-00146.

MICROFILMED
JUN 09 1998

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R57-00111

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	
IRRIGATION	04/01 to 10/15	0.60 CFS	234.4 cfs (VDR)

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
CASTLE CREEK	SNAKE RIVER

Priority: 04/01/1890

LOCATION OF POINT(S) OF DIVERSION: SESENW , Sec. 21, Township 05S, Range 01E
NWSESE , Sec. 29, Township 05S, Range 01E
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S	01E	21	NWNE 4	NENW 23	SWNW 12	
			SENE 30	NESW 12	NWSW 28	109
Total number of acres irrigated:						109

CONDITIONS/REMARKS:

1. USE OF THIS RIGHT WITH RIGHT NOS. 57-00084, 57-00101, 57-00133, 57-00146 AND 57-02210A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.18 CFS.
2. USE OF THIS RIGHT WITH RIGHT NOS. 57-00084, 57-00101, 57-00133, 57-00146 AND 57-02210A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 109.0 ACRES IN A SINGLE IRRIGATION SEASON.
3. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 57-00084, 57-00101, 57-00133 & 57-00146.

MICROFILMED
JUN 09 1998

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Claim No. R57-00133

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	
IRRIGATION	04/01 to 10/15	0.20 CFS	78.1 ac (VDR)

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
CASTLE CREEK	SNAKE RIVER

Priority: 04/01/1902

LOCATION OF POINT(S) OF DIVERSION:

SESENW , Sec. 21, Township 05S, Range 01E
 NWSESE , Sec. 29, Township 05S, Range 01E
 OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S	01E	21	NWNE 4	NENW 23	SWNW 12	
			SENE 30	NESW 12	NWSW 28	109
Total number of acres irrigated:						109

CONDITIONS/REMARKS:

1. USE OF THIS RIGHT WITH RIGHT NOS. 57-00084, 57-00101, 57-00111, 57-00146 AND 57-02210A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.18 CFS.
2. USE OF THIS RIGHT WITH RIGHT NOS. 57-00084, 57-00101, 57-00111, 57-00146 AND 57-02210A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 109.0 ACRES IN A SINGLE IRRIGATION SEASON.
3. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 57-00084, 57-00101, 57-00111 & 57-00146.

MICROFILMED
 JUN 09 1998

PART 2

TRANS NO. 5173

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R57-00146

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	
IRRIGATION	04/01 to 10/15	0.30 CFS	117.2 aka (VOR)

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
CASTLE CREEK	SNAKE RIVER

Priority: 04/01/1906

LOCATION OF POINT(S) OF DIVERSION:

SESENW , Sec. 21, Township 05S, Range 01E
 NWSESE , Sec. 29, Township 05S, Range 01E
 OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S	01E	21	NWNE 4	NENW 23	SWNW 12	
			SENE 30	NESW 12	NWSW 28	109
Total number of acres irrigated:						109

CONDITIONS/REMARKS:

1. USE OF THIS RIGHT WITH RIGHT NOS. 57-00084, 57-00101, 57-00111, 57-00133 AND 57-02210A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.18 CFS.
2. USE OF THIS RIGHT WITH RIGHT NOS. 57-00084, 57-00101, 57-00111, 57-00133 AND 57-02210A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 109.0 ACRES IN A SINGLE IRRIGATION SEASON.
3. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 57-00084, 57-00101, 57-00111 & 57-00133.

MICROFILMED

JUN 09 1998

PART 2

TRANS NO. 5173

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R57-02210A

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.80 CFS	472.5 AF = 105 Acres
<u>SOURCE</u>			490.5 af = 109 Acres
GROUNDWATER			VOR > VIR

Priority: 08/16/1954

LOCATION OF POINT(S) OF DIVERSION:SENWSW , Sec. 21, Township 05S, Range 01E
OWYHEE CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S 01E 21	NWNE 4	NENW 23	SWNW 12	
	SEnw 30	NESW 12	NWSW 28	109
		Total number of acres irrigated:		109

CONDITIONS/REMARKS:

1. USE OF THIS RIGHT WITH RIGHT NOS. 57-00084, 57-00101, 57-00111, 57-00133 AND 57-00146 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.18 CFS.
2. USE OF THIS RIGHT WITH RIGHT NOS. 57-00084, 57-00101, 57-00111, 57-00133 AND 57-00146 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 109.0 ACRES IN A SINGLE IRRIGATION SEASON.
3. WATER TEMPERATURE MEASURED AT 144 DEGREES F.

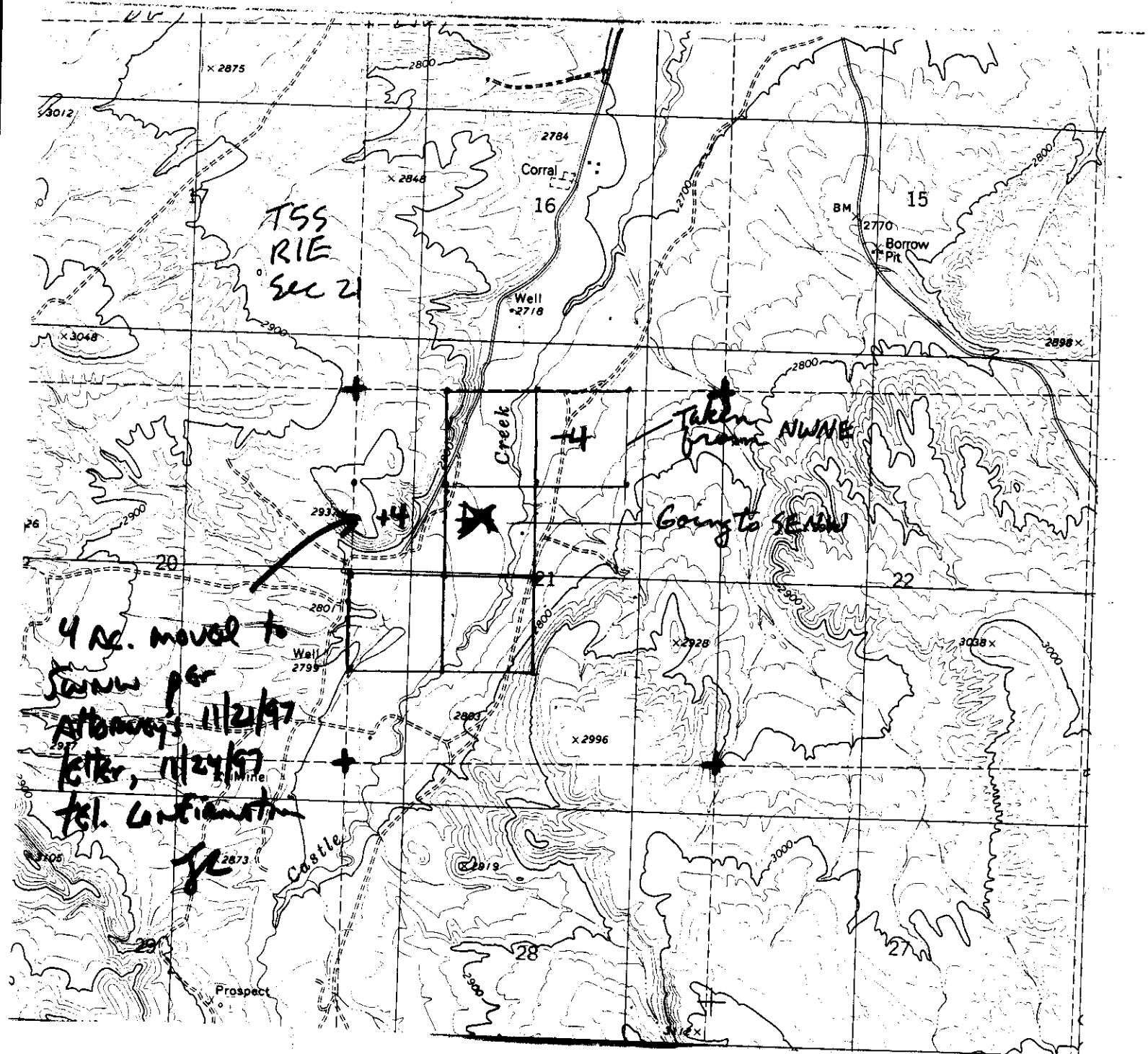
Should give volume for all 109 acres
per R. Brown. 1-21-98 Q8

MICROFILMED

JUN 09 1998

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.



MICROFILMED
 JUN 09 1998

B. CHANGES IN NATURE OF USE

1. New Nature of Use N/A

Amount (cfs/ac-ft)

Hours/days/year

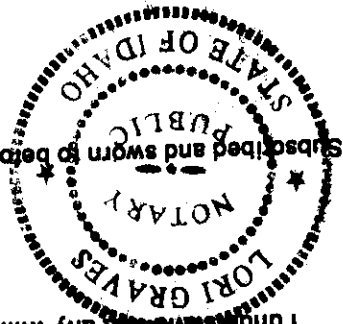
Period of Use

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 9th day of July, 1997.

(Signature of Applicant)

(Notary Public)

My commission expires 6/18/98

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 5 attachments

Received by 6 Date 7/9/97

Prelim. check by 82 Fee \$100 W022755 Date 7/9/97

Received by 22 for 45 Date 7/9/97

Published in _____

Pub. dates _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

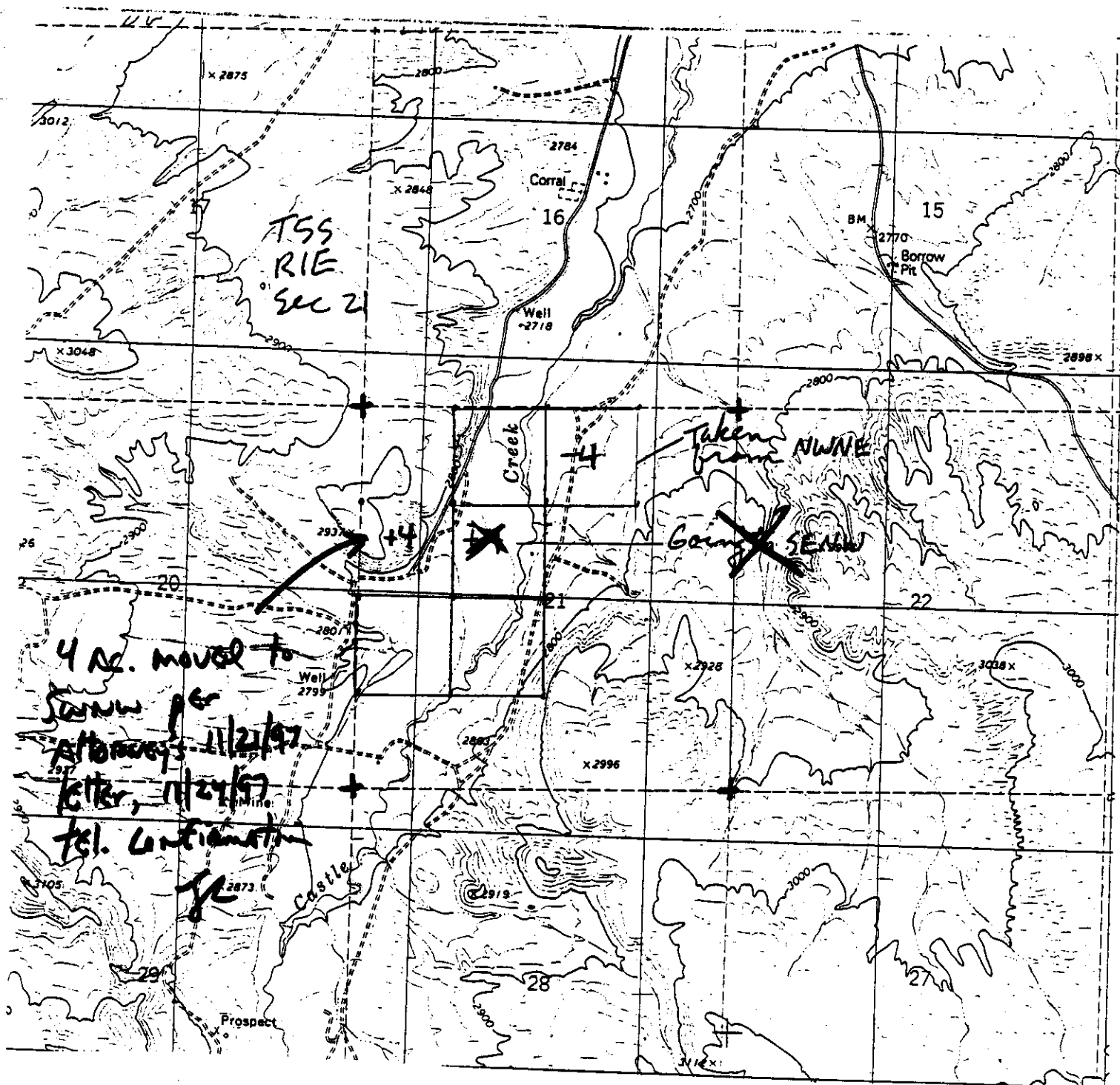
by _____ rec'd. _____

Copy of transfer sent to lien holder _____

MICROFILMED JUN 09 1998

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.**



MICROFILMED
JUN 09 1998

RECEIVED
DEC 26 1997
WATER RESOURCES
WESTERN REGION

PART 3

B. CHANGES IN NATURE OF USE

N/A

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

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 9th day of July, 1997.

(Signature of Applicant)

(Notary Public)

My commission expires 6/18/98

FOR DEPARTMENT USE ONLY

#5 attachments

Transfer contains 6 pages and

Received by 6 Date 7/9/97

Prelim. check by 82 Fee \$100 W022755

Received by 82 Date 7/9/97

Published in Owyhee Annual Pub. dates Dec 3 & 10, 1997

Watermaster recommendation requested on

Recommended for ☐ approval ☐ denial

rec'd. by

Copy of transfer sent to lien holder

MICROFILMED

JUN 09 1998

* This is the replacement original signature

Received 1/5/98 from C. Rousell, hand-delivered

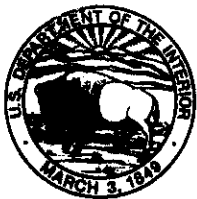
PART 1 (continued)

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	
<u>57-00084</u>	<u>4-1-1870</u>	<u>.50</u>	<u>Irrig.</u>	<u>4-1</u>	to <u>10-15</u>
<u>57-00101</u>	<u>4-1-1887</u>	<u>.10</u>	<u>"</u>	<u>4-1</u>	to <u>10-15</u>
<u>57-00111</u>	<u>4-1-1890</u>	<u>.60</u>	<u>"</u>	<u>4-1</u>	to <u>10-15</u>
<u>57-00133</u>	<u>4-1-1902</u>	<u>.20</u>	<u>"</u>	<u>4-1</u>	to <u>10-15</u>
<u>57-00146</u>	<u>4-1-1906</u>	<u>.30</u>	<u>"</u>	<u>4-1</u>	to <u>10-15</u>
<u>57-02210A</u>	<u>8-16-1954</u>	<u>1.80</u>	<u>"</u>	<u>3-15</u>	to <u>11-15</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	to <u> </u>

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JUN 09 1998

Attachment 1
(10 pgs)



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Idaho State Office
1387 South Vinnell Way
Boise, Idaho 83709-1657

In Reply Refer To:

7250 (SRWR) (931)

March 13, 1997

Roxanne Brown
Adjudication Bureau
Idaho Dept. of Water Resources
1301 North Orchard Street
Boise, Idaho 83706-2237

**RE: Snake River Basin Adjudication (SRBA) Claims -Randall Transfer:
57-00084, 57-00101, 57-00111, 57-00133, 57-00146 and 57-02210A**

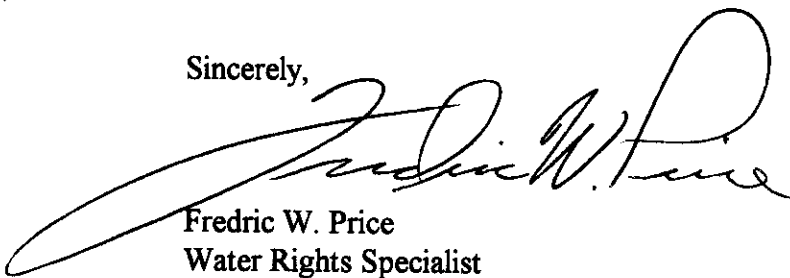
Dear Ms. Brown:

By this letter I state that I have the authority to act on behalf of the United States, Dept. of Interior, Bureau of Land Management (U.S.D.I., BLM), with myself as its agent, to the matters discussed herein. I understand that Michael and Charlene Randall wish to transfer water under rights 57-00084, 57-00101, 57-00111, 57-00133, 57-00146 and 57-02210A, from the federal public property described as 4.0 acres in the NWNE, Township 5 South, Range 1 East, Section 21 to land which the Randalls own as private property. I understand that the Idaho Dept. of Water Resources (I.D.W.R.) cannot complete such a transfer of water under a water right without the notarized consent of the landowner where the water right describes land not owned by the transfer applicant.

On behalf of the United States and the U.S.D.I., BLM, my notarized signature below provides the necessary consent to facilitate the transfer.

If there are questions regarding any statements above, please do not hesitate to contact me at 373-3831 or at the address provided above.

Sincerely,



Fredric W. Price
Water Rights Specialist

Randall Transfer

MICROFILMED
JUN 09 1998
REDISCOVER YOUR PUBLIC LANDS



Attachment 4
(2 pgs)

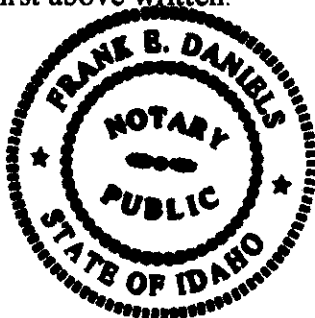
SUBSCRIBED and SWORN to before me this 13 day of March, 1997.

STATE OF IDAHO)
) ss:
COUNTY OF ADA)

On this 13 day of March, 1997, personally came before me, a notary public in and for said County and State, the within-named FREDRIC W. PRICE, to me personally known to be the identical person(s) described in and who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

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

Seal



Frank E. Daniels

Notary public in and for the
State of Idaho,
County of Ada.

Residing at Boise, Idaho
My commission expires: 7-11-2002

Randall Transfer

REDISCOVER YOUR PUBLIC LANDS
MICROFILMED
JUN 09 1998



**RINGERT
CLARK**
CHARTERED
LAWYERS

RECEIVED

NOV 21 1997

WATER RESOURCES
WESTERN REGION

Laura E. Burri
Jeffrey R. Christenson
D. Blair Clark
Michael J. Doolittle
Patrick D. Furey
David Hammerquist
Joseph B. Jones
James P. Kaufman
James G. Reid
William F. Ringert
Daniel V. Sienenson
Allyn L. Sweeney

Samuel Kaufman (1921-1986)

November 21, 1997

BY HAND DELIVERY

Gary Spackman
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

Re: Randall Transfer for Water Right Nos. 57-00084, 57-00101, 57-00111, 57-00133, 57-00146, 57-02210A

Dear Gary:

Pursuant to our conversation yesterday, I have reviewed the amended Application for Transfer for the above-referenced water rights with the Randalls. They have authorized me to advise you that the changes you made pursuant to their instructions are acceptable to them, and request that you proceed as expeditiously as possible to publish notice of the Application.

For your reference, I have ~~enclosed copies of the Standard~~ Form 5 the Randalls and IDWR executed and filed in the SRBA. The portion of the place of use to be transferred is identified as 4 acres in the NW~~NE~~ of Section 21, Township 5 South, Range 1 East. As amended, the new place of use will be the SW~~NW~~ of Section 21.

As you know, resolution of the SRBA Subcase has been postponed in order to allow additional time to process the Transfer Application. For this reason, I am providing Special Master Haemmerle and the attorneys for the United States and IDWR a copy of this correspondence to assure them that the Transfer is being processed diligently. In order to continue to provide such assurance to the Court, ~~please send copies of the published notice, protests, if any, and all future notices to me.~~ It may also be helpful if IDWR would give preliminary consideration to the Application so that, if there are no protests, IDWR can act on the Application as soon as possible after the period for filing protests ends.

SEE Right hand
side of
file
-82

Attachment 5
(2 pgs)

Gary Spackman
November 21, 1997
page 2

We appreciate your efforts in this matter and look forward to publication of notice in early December.

Yours very truly,



Daniel V. Steenson

Enclosures

cc: Char Randall
John Marshall
Fritz Holleman
Special Master Fritz Haemmerle

JUN 09 1998

SD-0861-2 Starting Transfer No.: 5173

Trans L No.	Last Name	S T	Status Date	Call-Up Date	Affected Rights	Proposed Rights
5173	RANDALL	A	01/28/1998	00/00/0000	R57-00084 R57-00101 R57-00111 R57-00133 R57-00146 R57-02210A	57-00084 57-00101 57-00111 57-00133 57-00146 57-02210A
5174	BAKER, DENNIS M	P	12/26/1997	00/00/0000	37-07745A	37-07745E 37-07745F
5175	HUF N PUF TRUST, C/O R P	P	12/26/1997	00/00/0000	37-07745A	37-07745G 37-07745H
5176	USDI-BUREAU OF LAND MA	T	11/28/1997	00/00/0000	43-07279	43-07279
5177	MELEO	T	12/02/1997	00/00/0000	T75-04101A	75-04101C 75-04101D
5178	CHURCH OF JESUS CHRIST	T	12/03/1997	00/00/0000	45-02400	45-02400A 45-02400B
5179	WOODLAND, MICHAEL D &	T	12/09/1997	00/00/0000	36-02207	36-02207

(Enter=Continue)

(GOLD 7=This Query)

(Menu _____)

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JUN 09 1998

5/15/1923

IN THE DISTRICT COURT OF THE THIRD JUDICIAL

DISTRICT OF THE STATE OF IDAHO,

IN AND FOR ADAM COUNTY.

JAMES L. DAVEY,

Plaintiff,

vs.

George F. Brown, James E. Murphy, William Gordy, William Toy, Joseph W. Hardiman, Andrew T. Evans, William D. Evans, Lillian L. Evans, William Henderson, Martha Henderson, Ursilla McDonough, John J. Evans, Thomas A. Foreman, Victor Foreman, Donald (Fred D.) Henderson, Thomas D. Henderson, John Henderson, Charles H. Herchouse, Maggie Devine, Robert J. Kelley, James L. Fees, John L. (James H.) Morgan, Amsey Brill, Hilt Carothers, Alva Reed, Etta Pethel, Charles Johnson, James Henderson, Belos Foreman, John H. Munger, Edna Munger, his wife, James Torrence, Mina B. Torrence, his wife, Alex Delap, Thomas Payne, John Kidd, John Skillern, John Doe Echevarria, Will T. Skillern, Victor Babica, J. S. Fischer, Della Pethel, John Pethel, her husband, Richard McCumber, Harry Delap, John Palmberg, and the Castle Falls Mining Company, a corporation, (whose charter was forfeited November 30, 1914) and J. A. Conley, H. P. Ross, P. L. Bloom, A. L. Garber, and S. L. Kennedy, as directors and statutory trustees of said the Castle Creek Mining Company, Walter B. Jones and Anna Joyce,

Defendants.

DEC 22

The above entitled cause came on regularly for trial on November 14th, 1922, in open court before Honorable Charles F. Sedgock, Judge of said Court.

-17-

JUN 19 1996

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JUN 09 1998

Name of Party		Date of Priority.	Ant. in inches.	Des. of All Owyhee County Land. Sec. Twp. Range			
William Toy	Castle Creek	1870	57-0073	25	(subd)		
		1885	57-0096	20	SE 1/4 NE 1/4		
		1887	57-0115	20	E 1/2 SE 1/4		
		1895	57-0117	30	SW 1/4 SE 1/4		
		1906	57-0145	15	NE 1/4 NE 1/4	29	5 S 1E B.M.
		1908	57-0157	20	S 1/2 SW 1/4	21	
					N 1/2 NW 1/4	23	5 S 1E B.M.
Joseph H. Hardiman (successor to Hardiman Bros. consisting of Joseph Hardiman, Charles Hardiman and Eugene J. Hardiman)	Castle Creek	1870	57-0084	25	E 1/2 NW 1/4		
		1887	57-0101	5	SW 1/4 NW 1/4		
		1890	57-0111	30	NW 1/4 SW 1/4		
		1902	57-0133	10	NE 1/4 SW 1/4	21	5 S 1E B.M.
		1906	57-0146	15			
				85			
Lillian L. Evans & William D. Evans	Castle Creek	1870	57-0086	25	SW 1/4 NW 1/4	10	
		1871	57-0087	20	N 1/2 SW 1/4		
		1887	57-0102	30	SE 1/4 SE 1/4		
		1890	57-0112	25	E 1/2 NE 1/4	9	
		1895	57-0115	20	NE 1/4 SE 1/4		
		1902	57-0135	12			5 S 1E B.M.
		1906	57-0147	8			
Andrew T. Evans	Castle Creek	1870	57-0086	25	NE 1/4 NE 1/4		
		1899	57-0126	18	S 1/2 NE 1/4		
		1901	57-0131	15	SE 1/4 SW 1/4	16	5 S 1E B.M.
James L. Davey	Castle Creek	1870	57-0166	25	N 1/2 NW 1/4	13	
		1873	57-0167	5	E 1/2 NE 1/4	14	
		1874	57-0168	10	SE 1/4 SW 1/4	12	
		1885	57-0169	10	W 1/2 SE 1/4		
		1887	57-0170	20	NW 1/4 NE 1/4	15	
		1890	57-0171	20			5 S 1W B.M.
Urcilla McDonough	Castle Creek	1874	57-0101	5	W 1/2 SE 1/4		
		1885	57-0115	15	SW 1/4 NE 1/4		
		1887	57-0103	4	Lot 2	5	5 S 1E B.M.
		1890	57-0113	5			
		1898	57-0119	14			
		1906	57-0148	10			
		1908	57-0158	17			
John J. Evans	Castle Creek #3900	1874	57-0089	12	E 1/2 SE 1/4	34	4 S
		1885	57-0118	10	SE 1/4 NE 1/4		
		1887	57-0115	10	SW 1/4 NW 1/4	35	4 S
		1895	57-0116	5	NE 1/4 NE 1/4	3	5 S
		1896	57-0120	15	NW 1/4 NW 1/4	2	
		1899	57-0129	20	W 1/2 SW 1/4	35	4 S 1E B.M.
		1906	57-0149	10			

RECORDED

JUN 19 1906

-7-

MICROFILMED

JUN 09 1998

James L. Davey, Permits No. 12842⁵⁷⁻²¹⁰²
and No. 15712,

Pedro Echevarria and William T.
Skillern, Permit No. 5996,

A. T. Evans, Permit No. 15112,

John J. Evans, Permit No. 12871,

Donald F. Henderson, Permit No. 9901,

Thomas D. Henderson, Permit No. 6151, *in decree*

Robert W. Henderson (successor to Robert
W. Henderson and James Henderson) Per-
mit No. 11266,

Eana Munger, Permit No. 11494, *called #2776 in decree*

John H. Munger, Permit No. 8602, *in decree*

Anna Joyce, (successor to Alex
Delapp) Permit no 7743. *in decree*

IT IS FURTHER ORDERED, ADJUDGED AND DECREED:

That the foregoing rights are established and shall
be in operation during the irrigation season from the
1st day of April to and until the 15th day of October
of each year. It is further adjudged that the average
amount of water required each year for the irrigation
of the lands hereinbefore described during such season
is one inch of water to the acre. It is further ad-
judged that the waters hereinbefore decreed shall be
diverted and applied to the respective lands to which
they are made appurtenant as aforesaid, by means of the
headworks, ditches and laterals owned by the respective
parties at the date of this decree. It is further
adjudged and decreed that each party shall pay his
own share herein.

Done in open court this 15th day of May,

1923

M. J. Church

District Judge.

JUN 19 1996

-12-

MICROFILMED

JUN 09 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

March 23, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CHARLIENE RANDALL
MICHAEL W RANDALL
7761 MURPHY RD
MELBA ID 83641

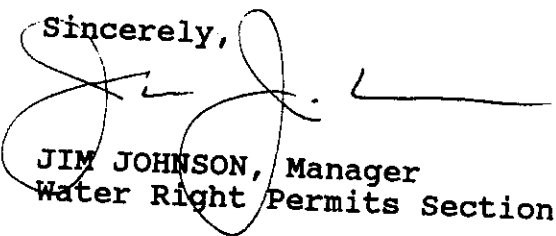
RE: Water Rights 57-00084/57-00101/57-00111/57-00133
57-00146/57-02210A (Transfer 5173)

Dear Mr. & Mrs. Randall:

Enclosed is a copy of your approved Amended Transfer of Water Right for the above referenced water rights (Transfer 5173). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer.

Also, please be advised that the accompanying transfer approval should be considered and treated as a preliminary order of the department issued pursuant to Section 67-5243, Idaho Code. Enclosed are instructions for responding to Preliminary Orders if you are in disagreement with the approved transfer.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosures

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JUN 09 1998

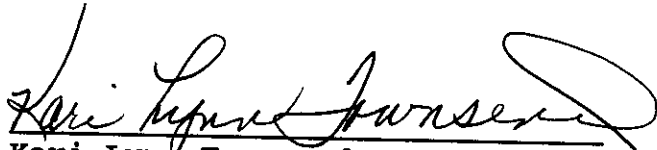
SCANNED
OCT 22 2004

CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of March, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing **AMENDED TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHTS 57-00084/57-00101/57-00111/57-00133/57-00146
57-02210A (Transfer 5173)

CHARLIENE RANDALL
MICHAEL W RANDALL
7761 MURPHY RD
MELBA ID 83641


Kari Lynn Townsend
Secretary

MICROFILMED
JUN 09 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

JUN 09 1998

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED

JUN 09 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

March 6, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DANIEL V STEENSON
RINGERT CLARK CHARTERED
PO BOX 2773
BOISE ID 83701-2773

RE: Water Right Transfer 5173

Dear Mr. Steenson:

Enclosed please find an Order Granting Petition For
Reconsideration in the matter of Transfer 5173 in the name of
Michael W. Randall and Charlene Randall.

If you have any questions regarding this matter you may call me
at 208-327-7955.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

LGS:klt

Enclosure

MICROFILMED

JUN 09 1998

MEMORANDUM

To: Jim Johnson
From: L. Glen Saxton *LS*
RE: CONDITIONS OF APPROVAL - TRANSFER NO. 5173
Date: February 25, 1998

I discussed the conditions of approval of transfer No. 5173 with Norm Young this morning. His general direction was to continue to use the conditions of approval as we have done in the past.

In this specific case, Norm had no problem with deleting condition No. 1. and condition No. 5. We need to confirm, however, with our SRBA staff that Adjudication Bureau has reviewed the claim and is satisfied with it as Steenson states. On future transfers where the SRBA claim is still pending dept review, we should continue to use condition No. 5.

Please prepare and issue an amended transfer deleting conditions 1 and 5 and mail it out as an amended preliminary order. If the department receives another petition for reconsideration objecting to the conditions which we have not deleted, we will deny the petition.

MICROFILMED

JUN 09 1998

**RINGERT
CLARK**
CHARTERED
LAWYERS

RECEIVED

FEB 17 1998

Department of Water Resources

Laura E. Burri
Jeffrey R. Christenson
D. Blair Clark
Michael J. Doolittle
Patrick D. Furey
David Hammerquist
Joseph B. Jones
James P. Kaufman
James G. Reid
William F. Ringert
Daniel V. Steenson
Alyn L. Sweeney

Samuel Kaufman (1921-1986)

February 13, 1998

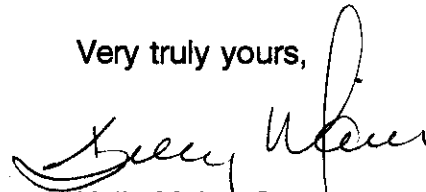
Jim Johnson
Department of Water Resources
1301 North Orchard
Boise, Idaho 83706-2237

RE: Transfer No. 5173
Michael and Charlene Randall

Dear Mr. Johnson:

Enclosed please find the original Petition for Reconsideration in the above-referenced matter, a copy of which was fax filed on February 12, 1997.

Very truly yours,



Kelly Maier, Secretary to
Daniel V. Steenson

DVS:klm
Enclosure

CALLED: 2/23/98 - NO AUS. 1:08 PM

MICROFILMED

JUN 09 1998

RECEIVED

FEB 17 1998

Department of Water Resources

Daniel V. Steenson
RINGERT CLARK CHARTERED
455 S. Third, P.O. 2773
Boise, Idaho 83701-2773
Telephone: (208) 342-4591
Fax: (208) 342-4657

Attorneys for Michael and Charliene Randall

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF	)	TRANSFER NO. 5173
TRANSFER NO. 5173	)	
IN THE NAME OF	)	PETITION FOR RECONSIDERATION
MICHAEL AND CHARLIENE	)	
RANDALL	)	

Michael and Charliene Randall (the Randalls), by and through its attorneys Ringert Clark Chartered, file this Petition for Reconsideration of the preliminary order of the Idaho Department of Water Resources (IDWR) approving the Randalls Application for Transfer upon conditions.

RELIEF REQUESTED

The Randalls request that IDWR remove conditions/remarks 1, 2, 3, 4, 5, 6, 9, 10. The grounds for this request are that these conditions/remarks are either unnecessary or inconsistent with manner in which the Randalls had resolved SRBA Subcases 57-00084 et seq involving these water rights with IDWR. In condition 5, for example, IDWR reserves the right to "review the validity of the water right(s) in the ongoing [SRBA]." In resolving the Subcases, IDWR had acknowledged the validity of these water rights and reached agreement with the Randalls as to how the water rights would be recommended and decreed. Condition 6 requires measuring

PETITION FOR RECONSIDERATION - 1

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JUN 09 1998

devices on all points of diversion, however, there is no indication as to the basis of necessity for such a requirement. We can find no basis for conditions 9 and 10.

IDWR did not seek imposition of any of the proposed conditions through its recommendation or during the resolution of the SRBA Subcases involving these water rights. If the proposed conditions were necessary or appropriate for definition or administration of the water rights, IDWR was required to make such a recommendation to the SRBA court. IDWR should not now seek to impose conditions which it did not identify as necessary in the SRBA Subcases. The transfer of the water appurtenant to four (4) acres of land does not alter these water rights in any way which would raise the necessity or propriety of the proposed conditions.

DATED this 12 day of February, 1998.

By



Daniel V. Steenson
RINGERT CLARK CHARTERED

MICROFILMED
JUN 09 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

January 29, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CHARLIENE RANDALL
MICHAEL W RANDALL
7761 MURPHY RD
MELBA ID 83641

RE: Water Rights 57-00084/57-00101/57-00111/57-00133
57-00146/57-02210A (Transfer 5173)

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water rights (Transfer 5173). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

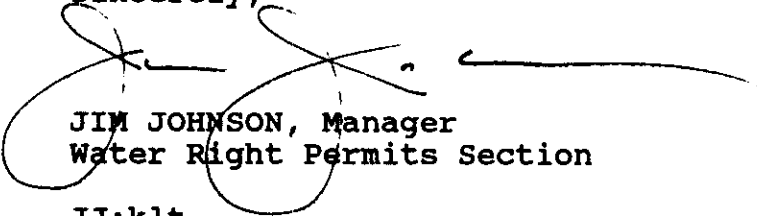
As of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

If you have acquired any other water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to record the ownership and/or address change with the department.

If you acquired other water rights or changed your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a \$100 late filing fee. You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208) 327-7947.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt
Enclosures

MICROFILMED

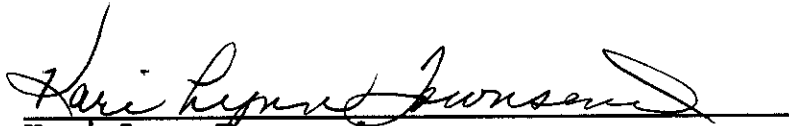
JUN 09 1998

CERTIFICATE OF MAILING

I hereby certify that on the 29th day of January, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHTS 57-00084/57-00101/57-00111/57-00133
57-00146/57-02210A (Transfer 5173)

CHARLIENE RANDALL
MICHAEL W RANDALL
7761 MURPHY RD
MELBA ID 83641


Kari Lynn Townsend
Secretary

MICROFILMED
JUN 09 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

JUN 09 1998

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

January 29, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

SAM STEINER
HC 79 BOX 2235
OREANA ID 83650-2235

RE: TRANSFER OF WATER RIGHTS 57-00084/57-00101/57-00111
57-00146/57-02210A (Transfer 5173)

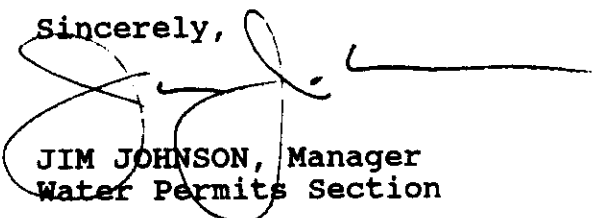
Dear Sam:

Enclosed is a copy of the recently approved Transfer of Water Right for the above referenced water rights (Transfer 5173) in the names of Charlene Randall and Michael W. Randall.

Also enclosed is a copy of the reviewers notes.

If you have any questions, please call me at (208) 327-7947.

Sincerely,



JIM JOHNSON, Manager
Water Permits Section

JJ:klt

Enclosures

MICROFILMED

JUN 09 1998

RECEIVED

JAN 27 1998

Department of Water Resources

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 5173 : 57-00084 -101 -111 -113 -146

RECOMMENDATION OF WATERMASTER

-2210A
(RANDALL)

I, Sam Seider, watermaster of Castle Creek,
of Water District No. 57C, County of Owyhee, State of Idaho,
whose address is He 19 Box 2235
have read the attached copy of the application for transfer of water right for Michael
Charles Randall, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: NO OBJECTIONS

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons:

Dated at JAN 25 98, Idaho, this 25 day of JAN, 19 98

MICROFILMED (signature)

JUN 09 1998

Please use reverse side if needed.

MEMORANDUM

TO: FILES 57-00084/101/111/133/146 & 57-02210A

FROM: PAM SKAGGS²/STATE OFFICE

SUBJECT: TRANSFER 5173

DATE: January 22, 1998

=====

Transfer 5173 changes the place of use under Rights 57-00084/00101/00111/00133/00146 and 57-02210A. The transfer is based on the SRBA Basin 57 current recommendations for these rights. The applicant is transferring 4 acres of irrigation developed on BLM land to his own land. The transfer is an effort to resolve SRBA objections and BLM has agreed with the proposal.

Diversion volume adjusted to current standards. Recommended conditions include watermaster control, measuring devices & lockable controlling works, irrigation overlap, combined right limits, supplemental groundwater and standard transfer conditions.

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JUN 09 1998

TRANSFER REVIEW SHEET
(06-97)

Transfer # 5173

Date Reviewed 01-21-98 CS

Right(s) R57-00084 ✓ R57-00133 ✓
R57-00101 ✓ R57-00410 ✓ } Recentfigured SRBA Basin 57 recommendations.
R57-00111 ✓ R57-00210A ✓ } Carter advised me to use "R" in suffix records
G-W License Feitschle 1-21-98
✓ Print Split Summary ✓ Run POU Comparison Report Region Review CS

B:Change P/D C:Add P/D (D) Change P/U E:Change Nature of Use
F:Change Period of Use G:Other H:Change P/D & Add P/D
I:Change P/D & P/U J:Add P/D & Change P/U

Proof of Ownership Release from BLM rec'd. (Attachment 4) transferred acres

Transfer ✓ All of Right Portion of Right
Resulting Split(s) NONE

Check Transfer Against Recorded Right Season/Vol. D/4.5

(1) ✓ Priority (2) ✓ Use (3) 8 Season (4) ✓ Rate 0.02 cfs/acre (5) 5 Volume
(6) 6 Source (7) ✓ P/D Surface + GW (8) 8 P/U (9) ✓ Proof of Owner SRBA/BLM (10) ✓ Map
(11) 570 Water District (12) Yes Pertinent Conditions (13) No Expansion
No WM Comment Sheet - Re-proposed 1-21-98 Combined R/L Limits Revised 1-27-98 Don't expand VOL - VOR
(3) Standard ±RR season 3-15 to 11-15 - Retain modified Decree season 197 Days
(5) Standard VOL = $4.5 \times 109 = 490.5$ aka 84) 195.4 101) 39.1 111) 234.4 aka
(33) 78.1 aka 146) 117.2 aka 2210A) 490.5 aka
(6) Castle Creek + Supplemental GW
(8) Rearrange 4 acres - out NWNE + add to SWNW

Supplemental GW
Existing Geothermal Well 57-02210A Removed per LGS 3-18-98 new "Amended"
W35 Combined W34 Approved created. CS
Transfer Remarks Combined Limits - All cfs. 2.18 cfs + 109 Acres + 490.5 aka
Conditions R04 079, 065 RWS T07, T08, T09, T17 + R43 modified in Remarks
GW R/L
Remove these conditions per LGS Memo 2-25-98 (Copied "X" records to "I")
AMENDED APPROVAL prepared 3-4-98 CS

Database/Processing Notes Standard Non-Standard ✓
Copy approved versions to an "X" prefix on WIR database ✓ Delete Is
Special edit - Include Surface + GW P/D + identity comments
Totals * Combined limits - Edit T57-00084 remarks when approved.

Pccommon File T5173.txt CS
File Deleted 01-28-98

Transfer Memo Complete ✓
Database Updated 01-28-98 CS

WR0749NP
No. T57-00084

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/21/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHARLENE RANDALL	04/01/1870	IRRIGATION	04/01 10/15	0.500 CFS	195.40 AFA
C	MICHAEL W RANDALL					
	7761 MURPHY RD			TOTAL DIVERSION:	0.500 CFS	195.40 AFA
	MELBA ID 83641					
	(208) 495-2801					
D	EVA M JOHNSTON					

Water Source: CASTLE CREEK

Tributary to: SNAKE RIVER

Stage: DECREEED

Point(s) of Diversion: T05S R01E S21 SENW OWYHEE County
S29 SESE OWYHEE County

Point of Diversion Name(s):

	Name	Rate	Number
T05S R01E S21	SE NW DOWNSTREAM P/D		
S29	SE SE UPSTREAM P/D		

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																				
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
05S	01E	21	:						:	23			16			30	:	12			28			:							109.0	
TOTAL ACRES																												109.0				

Pou County: OWYHEE

Other Rights: SEE REMARKS

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 57C.
- R65 - This right when combined with all other rights shall provide no
- more than 0.02 cfs per acre nor more than 4.5 afa per acre at the
- field headgate for irrigation of the lands above.
- T07 - The right holder shall accomplish the change authorized by this
- transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this
- transfer is cause for the Director to rescind approval of the
- transfer.
- T09 - Approval of this transfer does not preclude the opportunity for
- review of the validity of the water right(s) in the ongoing
- Snake River Basin Adjudication.

Remarks: GEN Prior to diversion of water under this approval, the right
holder shall provide a means of measurement and lockable
controlling works from all authorized points of diversion

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/21/98
PAGE: 2

Remarks: that is acceptable to the watermaster and will provide suitable control of the diversions.

The total instantaneous diversion of water from all points of diversion under Transfer 5173 shall not exceed 2.18 cfs, nor total combined annual volume of 490.5 af.

Rights 57-00084, 57-00101, 57-00111, 57-00133, 57-00146 and 57-02210A when combined shall not exceed a total diversion rate of 2.18 cfs, a total annual diversion volume of 490.5 af at the field headgate, and the irrigation of 109.0 acres.

Right 57-02210A shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under Right 57-02210A and shall only divert groundwater under this right when sufficient water from the appurtenant surface water rights cannot be delivered to the right holder.

*Delete when approved.
Done 1-28-98*

Dates: App. Received: Priority Date: 04/01/1870
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 57C Field Exam Fee:

Comments: Date: 03/28/1996 User-ID: RMCCARTH Subject: OWNERSHIP CHANGE
JOHNSTON TO RANDALL

Date: 08/08/1997 User-ID: SSHERMAN Subject: NOTICE OF APPEARANCE
NOTICE OF APPEARANCE FROM D V STEENSON APPEARING FOR MICHAEL AND
CHARLIENE RANDALL.

Date: 01/21/1998 User-ID: PSKAGGS Subject: TRANSFER 5173
Transfer 5173 changes the place of use under Rights 57-00084/101/
111/133/146 & 57-02210A. The transfer is based on the rights as
currently recommended by the SRBA & the approved version will be
stored under an "X" prefix pending conclusion of the
adjudication.

Audit: 11/26/97 STAYLOR 01/21/98 PSKAGGS

WR0749WP
No. T57-00101

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/21/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MICHAEL W RANDALL	04/01/1887	IRRIGATION	04/01 10/15	0.100 CFS	39.10 AFA
C	CHARLIENE RANDALL 7761 MURPHY RD MELBA ID 83641 (208) 495-2801					
				TOTAL DIVERSION:	0.100 CFS	39.10 AFA
D	EVA M JOHNSTON					

Water Source: CASTLE CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T05S R01E S21 SENW
S29 SESE
ONYHEE County
ONYHEE County

Point of Diversion Name(s):

		Name	Rate	Number
T05S R01E S21	SE NW	DOWNSTREAM P/D		
S29	SE SE	UPSTREAM P/D		

Place of Use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
05S	01E	21	:					23		16	30	12	28							109.0
																			TOTAL ACRES	109.0

Pou County: ONYHEE

Other Rights: SEE REMARKS

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 57C.
- R65 - This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks: GEN Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORTDATE: 01/21/98
PAGE: 2

Remarks: that is acceptable to the watermaster and will provide suitable control of the diversions.
The total instantaneous diversion of water from all points of diversion under Transfer 5173 shall not exceed 2.18 cfs, nor total combined annual volume of 490.5 af.
Rights 57-00084, 57-00101, 57-00111, 57-00133, 57-00146 and 57-02210A when combined shall not exceed a total diversion rate of 2.18 cfs, a total annual diversion volume of 490.5 af at the field headgate, and the irrigation of 109.0 acres.

Dates: App. Received: Priority Date: 04/01/1887
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 57C Field Exam Fee:

Comments: Date: 03/28/1996 User-ID: RMCCARTH Subject: OWNERSHIP CHANGE
JOHNSTON TO RANDALL

Date: 08/08/1997 User-ID: SSHERMAN Subject: NOTICE OF APPEARANCE
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111/133/146 & 57-02210A. The transfer is based on the rights as
currently recommended by the SRBA & the approved version will be
stored under an "X" prefix pending conclusion of the
adjudication.

Audit: 11/26/97 STAYLOR 01/21/98 PSKAGGS 01/21/98 PSKAGGS

WR0749WP
No. T57-00111

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/21/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MICHAEL W RANDALL	04/01/1890	IRRIGATION	04/01 10/15	0.600 CFS	234.40 AFA
C	CHARLIENE RANDALL					
	7761 MURPHY RD					
	MELBA ID 83641			TOTAL DIVERSION:	0.600 CFS	234.40 AFA
	(208) 495-2801					
D	EVA JOHNSTON					

Water Source: CASTLE CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T05S R01E S21 SENW
S29 SESE
OWYHEE County
OWYHEE County

Point of Diversion Name(s):

T05S R01E S21	SE NW	Name	Rate	Number
S29	SE SE	DOWNSTREAM P/D		
		UPSTREAM P/D		

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
05S	01E	21	:					:	23		16	30	:	12	28			:						
																							TOTAL ACRES	109.0

Pou County: OWYHEE

Other Rights: SEE REMARKS

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 57C.
- R65 - This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks: GEN Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion

IDaho DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

Remarks: that is acceptable to the watermaster and will provide suitable control of the diversions.
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Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 57C Field Exam Fee:

Comments: Date: 03/28/1996 User-ID: RMCCARTH Subject: OWNERSHIP CHANGE
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Date: 08/08/1997 User-ID: SSHERMAN Subject: NOTICE OF APPEARANCE
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stored under an "X" prefix pending conclusion of the
adjudication.

Audit: 11/26/97 STAYLOR 01/21/98 PSKAGGS 01/21/98 PSKAGGS

WR0749NP
No. T57-00133

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/21/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MICHAEL W RANDALL	04/01/1902	IRRIGATION	04/01 10/15	0.200 CFS	78.10 AFA
C	CHARLIENE RANDALL					
	7761 MURPHY RD			TOTAL DIVERSION:	0.200 CFS	78.10 AFA
	MELBA ID 83641					
	(208) 495-2801					
D	EVA M JOHNSTON					
	NANPA ID					

Water Source: CASTLE CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:	T05S R01E S21	SE NW	OWYHEE County
	S29	SE SE	OWYHEE County

Point of Diversion Name(s):

	Name	Rate	Number
T05S R01E S21	SE NW DOWNSTREAM P/D		
S29	SE SE UPSTREAM P/D		

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
05S	01E	21	:					23		16		30	:	12		28			:	109.0
																		TOTAL ACRES	109.0	

Pou County: OWYHEE

Other Rights: SEE REMARKS

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 57C.
- R65 - This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks: GEN Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable

Remarks: controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.

The total instantaneous diversion of water from all points of diversion under Transfer 5173 shall not exceed 2.18 cfs, nor total combined annual volume of 490.5 af.

Rights 57-00084, 57-00101, 57-00111, 57-00133, 57-00146 and 57-02210A when combined shall not exceed a total diversion rate of 2.18 cfs, a total annual diversion volume of 490.5 af at the field headgate, and the irrigation of 109.0 acres.

Dates: App. Received: Priority Date: 04/01/1902
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 57C Field Exam Fee:

Comments: Date: 07/14/1992 User-ID: SMITH Subject: DATA ENTRY
CHANGED CFS ON WATER USE SCREEN TO .200
NO CHANGE TO VERIFICATION STATUS

Date: 03/28/1996 User-ID: RMCCARTH Subject: OWNERSHIP CHANGE
JOHNSTON TO RANDALL

Date: 08/08/1997 User-ID: SSHERMAN Subject: NOTICE OF APPEARANCE
NOTICE OF APPEARANCE FROM D V STEENSON APPEARING FOR MICHAEL AND
CHARLENE RANDALL.

Date: 01/21/1998 User-ID: PSKAGGS Subject: TRANSFER 5173
Transfer 5173 changes the place of use under Rights 57-00084/101/
111/133/146 & 57-02210A. The transfer is based on the rights as
currently recommended by the SRBA & the approved version will be
stored under an "X" prefix pending conclusion of the
adjudication.

Audit: 11/26/97 STAYLOR 01/21/98 PSKAGGS 01/21/98 PSKAGGS

WR0749NP
No. T57-00146

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/21/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MICHAEL W RANDALL	04/01/1906	IRRIGATION	04/01 10/15	0.300 CFS	117.20 AFA
C	CHARLENE RANDALL 7761 MURPHY RD MELBA ID 83641 (208) 495-2801					
				TOTAL DIVERSION:	0.300 CFS	117.20 AFA
D	EVA M JOHNSTON					

Water Source: CASTLE CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T05S R01E S21 SENW OWYHEE County
S29 SESE OWYHEE County

Point of Diversion Name(s):

	Name	Rate	Number
T05S R01E S21	SE NW DOWNSTREAM P/D		
S29	SE SE UPSTREAM P/D		

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE					
NENE	NUNE	SWNE	SENE	NENW	NUNW	SWNW	SENW	NESW	NUNW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM	
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	:	
05S	01E	21	:					:	23		16	30	:	12	28	:	109.0
																TOTAL ACRES	109.0

Pou County: OWYHEE

Other Rights: SEE REMARKS

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 57C.
- R65 - This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks: GEN Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion

Remarks: that is acceptable to the watermaster and will provide suitable control of the diversions.
The total instantaneous diversion of water from all points of diversion under Transfer 5173 shall not exceed 2.18 cfs, nor total combined annual volume of 490.5 af.
Rights 57-00084, 57-00101, 57-00111, 57-00133, 57-00146 and 57-02210A when combined shall not exceed a total diversion rate of 2.18 cfs, a total annual diversion volume of 490.5 af at the field headgate, and the irrigation of 109.0 acres.

Dates: App. Received: Priority Date: 04/01/1906
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 57C Field Exam Fee:

Comments: Date: 03/28/1996 User-ID: RMCCARTH Subject: OWNERSHIP CHANGE
JOHNSTON TO RANDALL

Date: 08/08/1997 User-ID: SSHERMAN Subject: NOTICE OF APPEARANCE
NOTICE OF APPEARANCE FROM D V STEENSON APPEARING FOR MICHAEL AND
CHARLIENE RANDALL.

Date: 01/21/1998 User-ID: PSKAGGS Subject: TRANSFER 5173
Transfer 5173 changes the place of use under Rights 57-00084/101/
111/133/146 & 57-02210A. The transfer is based on the rights as
currently recommended by the SRBA & the approved version will be
stored under an "X" prefix pending conclusion of the
adjudication.

Audit: 11/26/97 STAYLOR 01/21/98 PSKAGGS 01/21/98 PSKAGGS

WR0749NP
No. T57-02210A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/21/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHARLIENE RANDALL	08/16/1954	IRRIGATION	03/15 11/15	1.800 CFS	490.50 AFA
C	MICHAEL W RANDALL					
	7761 MURPHY RD			TOTAL DIVERSION:	1.800 CFS	490.50 AFA
	MELBA ID 83641					
	(208) 495-2801					
D	EVA M JOHNSTON					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T05S R01E S21

NWSW

OWYHEE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																				
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
05S	01E	21	:							23			16		30		12		28												109.0	
																														TOTAL ACRES	109.0	

Pou County: OWYHEE

Other Rights: SEE REMARKS

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 57C.
- R65 - This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks: GEN Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.

The total instantaneous diversion of water from all points of diversion under Transfer 5173 shall not exceed 2.18 cfs, nor total combined annual volume of 490.5 af.

Rights 57-00084, 57-00101, 57-00111, 57-00133, 57-00146 and 57-02210A when combined shall not exceed a total diversion rate

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/21/98

PAGE: 2

Remarks: of 2.18 cfs, a total annual diversion volume of 490.5 af at the field headgate, and the irrigation of 109.0 acres.
Right 57-02210A shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under Right 57-02210A and shall only divert groundwater under this right when sufficient water from the appurtenant surface water rights cannot be delivered to the right holder.

Dates: App. Received: Priority Date: 08/16/1954
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 57C Field Exam Fee:

Comments: Date: 11/18/1991 User-ID: MCCARTHY Subject: COPIED FROM REMARKS TRANS. 964.

2 P/D IN NWSW, S21, T5S, R1E; FROM WELL AND FROM COOLING POND.
THIS IS A HOT WATER WELL W/152 DEGREES F. TEMP. & PREVIOUSLY ARTESIAN.

THIS IS A SPLIT RIGHT OF 57-02210.

ORIGINAL OWNER WAS ELMER JOHNSTON. EVA JOHNSTON (CURRENT OWNER) WAS SPOUSE OF ELMER JOHNSTON AND RECEIVED PROPERTY VIA DISSOLUTION OF MARRIAGE.

WHEN THIS RIGHT AND ALL OTHER RIGHTS ARE COMBINED, THE RATE OF DIVERSION SHALL NOT EXCEED 0.02 CFS/ACRE.

Date: 03/28/1996 User-ID: RMCCARTH Subject: OWNERSHIP CHANGE JOHNSTON TO RANDALL, NO SPLIT

Date: 08/08/1997 User-ID: SSHERMAN Subject: NOTICE OF APPEARANCE NOTICE OF APPEARANCE FROM D V STEENSON APPEARING FOR MICHAEL AND CHARLENE RANDALL.

Date: 01/21/1998 User-ID: PSKAGGS Subject: TRANSFER 5173
Transfer 5173 changes the place of use under Rights 57-00084/101/111/133/146 & 57-02210A. The transfer is based on the rights as currently recommended by the SRBA & the approved version will be stored under an "X" prefix pending conclusion of the adjudication.

Audit: 11/26/97 STAYLOR 01/21/98 PSKAGGS 01/21/98 PSKAGGS

SD-0611-2 Basin: 57 Starting Water Right: 0008.

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
	57-00084	HARDIMAN, JOSEPH W.	C	06/01/1870	D/	CASTLE CREEK	IRR DOMEST STOCK	WR
	T57-00084	RANDALL, CHARLIENE RANDALL, MICHAEL W	C C	04/01/1870	D/	CASTLE CREEK	IRR	WR
	57-00084	RANDALL, CHARLIENE RANDALL, MICHAEL W	R C C	04/01/1870	D/	CASTLE CREEK	IRR	AJ
	A57-00084	RANDALL, MICHAEL W RANDALL, CHARLIENE	C R C	06/01/1870	D/	CASTLE CREEK	IRR	AJ
	R57-00084	RANDALL, MICHAEL W RANDALL, CHARLIENE	C R C	04/01/1870	D/	CASTLE CREEK	IRR	AJ
	R57-00084A	RANDALL, MICHAEL W RANDALL, CHARLIENE	C R C	04/01/1870	J/	CASTLE CREEK	IRR	AJ
	R57-00084B	AMERICA ACTING THROU	C	04/01/1870	J/	CASTLE CREEK	IRR	AJ

END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE

(Enter=Continue)

(GOLD7=This Query)

(GOLD8=Cancel)

(Menu _____)

SD-0611-2 Basin: 57 Starting Water Right: 00101

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
-	57-00101	HARDIMAN, JOSEPH W.	C	06/01/1887	D/	CASTLE CREEK	IRR DOMEST STOCK	WR
-	T57-00101	RANDALL, MICHAEL W RANDALL, CHARLIENE	C C	04/01/1887	D/	CASTLE CREEK	IRR	WR
-	57-00101	RANDALL, CHARLIENE R RANDALL, MICHAEL W	C C	04/01/1887	D/	CASTLE CREEK	IRR	AJ
-	A57-00101	RANDALL, MICHAEL W RANDALL, CHARLIENE R	C C	06/01/1887	D/	CASTLE CREEK	IRR	AJ
-	R57-00101	RANDALL, MICHAEL W RANDALL, CHARLIENE R	C C	04/01/1887	D/	CASTLE CREEK	IRR	AJ
-	R57-00101A	RANDALL, MICHAEL W RANDALL, CHARLIENE R	C C	04/01/1887	J/	CASTLE CREEK	IRR	AJ
-	R57-00101B	AMERICA ACTING THROU	C	04/01/1887	J/	CASTLE CREEK	IRR	AJ

(GOLD6=Print Profile Rpt For All Rights/Claims on Screen)
 (Enter=Continue) (GOLD7=This Query) (GOLD8=Cancel) (Menu _____)

SD-0611-2 Basin: 57 Starting Water Right: 00111

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
-	57-00111	HARDIMAN, JOSEPH W.	C	06/01/1890	D/	CASTLE CREEK	IRR DOMEST STOCK	WR
-	T57-00111	RANDALL, MICHAEL W RANDALL, CHARLIENE	C C	04/01/1890	D/	CASTLE CREEK	IRR	WR
-	57-00111	RANDALL, MICHAEL W RANDALL, CHARLIENE R	C C	04/01/1890	D/	CASTLE CREEK	IRR	AJ
-	A57-00111	RANDALL, MICHAEL W RANDALL, CHARLIENE R	C C	06/01/1890	D/	CASTLE CREEK	IRR	AJ
-	R57-00111	RANDALL, MICHAEL W RANDALL, CHARLIENE R	C C	04/01/1890	D/	CASTLE CREEK	IRR	AJ
-	R57-00111A	RANDALL, MICHAEL W RANDALL, CHARLIENE R	C C	04/01/1890	J/	CASTLE CREEK	IRR	AJ
-	R57-00111B	AMERICA ACTING THROU	C	04/01/1890	J/	CASTLE CREEK	IRR	AJ

(GOLD6=Print Profile Rpt For All Rights/Claims on Screen)
 (Enter=Continue) (GOLD7=This Query) (GOLD8=Cancel) (Menu _____)

SD-0611-2 Basin: 57 Starting Water Right: 0013.

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
-	57-00133	HARDIMAN, JOSEPH W.	C	06/01/1902	D/	CASTLE CREEK	IRR	WR
-							DOMEST	
-	T57-00133	RANDALL, MICHAEL W	C	04/01/1902	D/	CASTLE CREEK	IRR	WR
-		RANDALL, CHARLIENE	C					
-	57-00133	RANDALL, CHARLIENE R	C	04/01/1902	D/	CASTLE CREEK	IRR	AJ
-		RANDALL, MICHAEL W	C					
-	A57-00133	RANDALL, MICHAEL W	C	06/01/1902	D/	CASTLE CREEK	IRR	AJ
-		RANDALL, CHARLIENE R	C					
-	R57-00133	RANDALL, MICHAEL W	C	04/01/1902	D/	CASTLE CREEK	IRR	AJ
-		RANDALL, CHARLIENE R	C					
-	R57-00133A	RANDALL, MICHAEL W	C	04/01/1902	J/	CASTLE CREEK	IRR	AJ
-		RANDALL, CHARLIENE R	C					
-	R57-00133B	AMERICA ACTING THROU	C	04/01/1902	J/	CASTLE CREEK	IRR	AJ

END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE

(Enter=Continue)

(GOLD7=This Query)

(GOLD8=Cancel)

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SD-0611-2 Basin: 57 Starting Water Right: 00146

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
	57-00146	HARDIMAN, JOSEPH W.	C	06/01/1906	D/	CASTLE CREEK	IRR DOMEST STOCK	WR
	T57-00146	RANDALL, MICHAEL W RANDALL, CHARLIENE	C C	04/01/1906	D/	CASTLE CREEK	IRR	WR
	57-00146	RANDALL, MICHAEL W RANDALL, CHARLIENE R	C C	04/01/1906	D/	CASTLE CREEK	IRR	AJ
	A57-00146	RANDALL, MICHAEL W RANDALL, CHARLIENE R	C C	06/01/1906	D/	CASTLE CREEK	IRR	AJ
	R57-00146	RANDALL, MICHAEL W RANDALL, CHARLIENE R	C C	04/01/1906	D/	CASTLE CREEK	IRR	AJ
	R57-00146A	RANDALL, MICHAEL W RANDALL, CHARLIENE R	C C	04/01/1906	J/	CASTLE CREEK	IRR	AJ
	R57-00146B	AMERICA ACTING THROU	C	04/01/1906	J/	CASTLE CREEK	IRR	AJ

END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE

(Enter=Continue)

(GOLD7=This Query)

(GOLD8=Cancel)

(Menu _____)

SD-0611-2 Basin: 57 Starting Water Right: 02210

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
-	57-02210	JOHNSTON, ELMER D.	C	00/00/0000	/			WR
-	57-02210A	JOHNSTON, ELMER D.	C	08/16/1954	L/	GROUNDWATER	IRR DOMEST	WR
-	57-02210B	BACHMAN, JOHN J.	C	08/16/1954	L/	GROUNDWATER	IRR DOMEST	WR
-	T57-02210A	RANDALL, MICHAEL W RANDALL, CHARLIENE	C C	08/16/1954	L/	GROUNDWATER	IRR	WR
-	57-02210			00/00/0000	/Z			AJ
-	57-02210A	RANDALL, MICHAEL W RANDALL, CHARLIENE R	C C	08/16/1954	L/	GROUNDWATER	IRR	AJ
-	57-02210B	COLLETT, BLAINE COLLETT, DENISE	C C	08/16/1954	D/	GROUNDWATER	IRR	AJ
-	57-02210A	RANDALL, MICHAEL W RANDALL, CHARLIENE R	C C	08/16/1954	L/	GROUNDWATER	IRR	AJ
-	R57-02210C	RANDALL, MICHAEL W	C	08/16/1954	L/	GROUNDWATER	IRR	AJ

(GOLD6=Print Profile Rpt For All Rights/Claims on Screen)

(Enter=Continue)

(GOLD7=This Query)

(GOLD8=Cancel)

(Menu _____)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 07 1998

TRANSFER ANALYSIS SHEET

Department of Water Resources

APPLICANT Michael & Charlene Randall

TRANSFER NO. 5173

INITIAL ALLOCATION REVIEW BY [Signature]
SRBA SUPERVISOR REVIEW BY [Signature]

DATE 11/24/97
DATE 12/29/97

1. Right number(s) 57-00084 -101 -111 -133 -146 -2210A (6 Rights)

2. Type of right 5 Decree 1 License Statutory Claim
 SRBA Beneficial Use Claim

3. Purpose of transfer Change P/D Add P/D ✓ Change P/U Split Right
 Change N/U Change Source Other: to resolve BLM objection to SRBA

4. Check Existing Right:
✓ Source ✓ Priority ✓ Amount ✓ Purpose
✓ Period ✓ SRBA Claim
✓ Description of original point(s) of diversion
✓ Description of original place of use
✓ Overlapping rights on original place of use

5. Check Proposed Right for amount of land &/or water transferred:

✓ Also see attached memo for more analysis information = 12/23/97 memo

- a. ✓ All of right
- b. Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant)
- c. N/C Description of point(s) of diversion
- d. ✓ Description of place of use
- e. ✓ Map showing P/D & P/U after transfer Change shown for 4 acres
- f. ✓ Correct notarized signature* and \$100 fee
- g. ✓ Proof of ownership of right &/or land from which water is transferred BLM release, Attach #
- h. ✓ Expansion in use of right - Comments: none noted - BLM will cease irrig 4 acres, move that 4 to private land

* 12/29/97 note - Original signature page lost. Retrieved cc from S.D., sent copy of that to Applicant to get "replacement original signature" but ok to keep processing as that ~~document~~ occurs. ok as of 1/5/98

T 5173

i. ☒ Existing rights from same source, on land water is being transferred to; right number(s): NONE for 4 add'l.

over 12 JWW

j. ☒ SRBA claim(s) - Comments (NOTE! Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain)

xfer based on newest R file to SRBA in

k. ☒ Comment letters ☒ Yes ☐ No
If yes ☒ * Water District # ☒ Other, see #2 below for name and address

Sync with xfer

PUBLICATION REVIEW

1. Legal Notice electronically sent to DWR03::VAULT? ☒ Yes

2. COMMENT LETTERS

Watermaster recommendation requested on 12-23-97 * 12-23-97 Watermaster BLM Received on _____

Other comments letters:

☒ See attached information - 5 Encl to BLM

3. Transfer published correctly? ☒ Yes ☐ No

Call John Marshall

4. Affidavit of publication received? ☒ Yes ☐ No

c.s.o. 7-5404 to

5. Protests received? ☐ Yes ☒ No; Acknowledgement sent? ☐ Yes ☒ No *get contact name (Fred Price)*

6. Data entry of application completed? ☒ Yes

RECOMMENDED ACTION

1. ☒ Approve ☐ See attached memo

2. ☐ Deny due to _____

3. Conditions (special conditions in Water Districts) Standard transfer

conditions. See also Steve Lester's memo dated 12/23/97. Subject to control by watermaster of water district #57C, Castle Creek.

4. By Gary S Date 1/7/98

FILE FORWARDING

1. Copies made for Region file (see attached supplemental page)? ☒ Yes *pam*

2. File forwarded to S.O.: by At date 1-7-98

* My mistake: left ~~Water Dist~~ comment letter space blank, should have said "yes". Tentative letter w/ cc of legal notice plus Wm form on 12/23/97.
Can continue processing while this reply is sent by Wm.

MEMORANDUM

TO: FILE

FROM: STEVE LESTER *SL*

DATE: DECEMBER 23, 1997

RE: TRANSFER NO. 5173, M. & C. RANDALL

NOTE 12-17-97 REQUEST TO EXPEDITE BY S.O. LEGAL STAFF

This is a simple transfer to resolve a SRBA objection filed by the BLM. The applicants want to move four acres of irrigation from public land to four acres on their own land (from NWNE to SWNW S. 21). This will allow BLM to withdraw its objection and the rights to proceed in the SRBA as newly recommended based on the transfer.

A couple of house-keeping items need explanation. First, a comment letter was sent today to the water master, who will reply soon. Second, the original page 5-6 (map and signature) has been separated from the file somehow. State Office staff is sending a copy of those pages for the regional file. Upon receipt of that copy, region can contact applicants to obtain a replacement original signature. I distinctly recall the original pages because the map showed the "plus four acres" on private land in the SENW instead of the corrected SWNW noted in attorney's letter of November 21, 1997 (Attachment 5). I confirmed the corrected change in a subsequent telephone conversation with that attorney. This was also reiterated by the regional manager's November 20 fax to the attorney.

Processing can continue, even through the S.O. level, but cannot be completed until these two items are finished.

BLM provided documentation to release the portion of the rights from public land (Attachment 4). Other ownership issues plus any verification of use issues have been covered by the current R records in the SRBA.

Note the way in which the application is assembled. Part 1, Item B1 is continued in Attachment 1, which includes the current R records in which hand-written notes show the proposed P/U. Part 2 refers to attachments that include the water right records (Attachment 2) and R records that existed when the transfer was filed (Attachment 3).

The current R records show additional acres added to the rights but conditioned by remarks that limit use. The current version of the SRBA recommendations was completed in late October of this year. The regional office became aware of the revised R records in the latter half of November. The revised R records resolved the earlier dilemma of expansion acres etc. noted in file notes of August 27. All of this meant that the application could be advertised by early December.

It appears that transfer approval should reflect the rights as shown in Attachment 1 (current R records with hand-written notes).

RECEIVED

JUN 09 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

December 29, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MICHAEL &/OR CHARLIENE RANDALL
7761 MURPHY RD
MELBA ID 83641

RE: TRANSFER #5173, CASTLE CREEK & GROUND WATER RIGHTS

Dear Applicants:

The above referenced transfer application to relocate four acres of irrigation from BLM land to your property was advertised in the first half of this month and was not protested. The transfer application is on track for final action by the department.

A minor glitch has occurred, although it can be quickly fixed. The original signature page has been misplaced. Enclosed is a copy of the signature page (page 6 on two-sided enclosure). Please sign it in the signature block area to provide a "replacement original signature", so to speak. The replacement signature does not have to be notarized. The page can be returned to me as soon as possible.

Processing can continue while this step is being completed -- no delay will occur due to this error. Your transfer application will be expedited from this point on as much as possible. Please accept my apology for this mistake.

Thank you for your help in this matter.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure

MICROFILMED

JUN 09 1998

CONVERSATION MEMORANDUM

DATE 12/17/97

FILE T5173

NAME OF PARTY John Marshall (S.O.)

(Randall)

EMPLOYEE JL

RE: EXPEDITE TO MEET COURT DEADLINES

Transfer needs to be expedited to meet SRBA proceedings.

Status conference with court is 1/12/98.

Transfer is to relieve BLM's objection by moving water from public land to private land.

Region will solicit newspaper publication affidavit next week & will forward x.2 to S.O. for "fast track" consideration assuming no protests are filed.

✓ Complete

✓ No protests filed

Can S.O. process transfer asap once receive it? If question, call Regional Reviewers (GS & JL).

At S.O. - let John M. know & progress in final decision & App.

OK 1/5/98 / NEED "REPLACEMENT ORIGINAL SIGNATURE" p. 6

of APR 9 1998 before can issue decision on transfer final

* being obtained per 12/29/97 letter

IDAHO DEPARTMENT OF WATER RESOURCES
PLACE OF USE 1/4 1/4 COMPARISON REPORT

DATE: 11/17/97
PAGE: 1

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '0' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
R5702210A	T05S R01E S21 GROUNDWATER																	
5700083	CASTLE CRE																	
*5700083	CASTLE CRE																	
A5700083	CASTLE CRE																	
R5700083	CASTLE CRE																	
5700084	CASTLE CRE																	
*5700084	CASTLE CRE																	
A5700084	CASTLE CRE																	
R5700084	CASTLE CRE																	
5700096	CASTLE CRE																	
*5700096	CASTLE CRE																	
A5700096	CASTLE CRE																	
R5700096	CASTLE CRE																	
5700101	CASTLE CRE																	
*5700101	CASTLE CRE																	
A5700101	CASTLE CRE																	
R5700101	CASTLE CRE																	
5700105	CASTLE CRE																	
*5700105	CASTLE CRE																	
A5700105	CASTLE CRE																	
R5700105	CASTLE CRE																	
5700111	CASTLE CRE																	
*5700111	CASTLE CRE																	
A5700111	CASTLE CRE																	
R5700111	CASTLE CRE																	
5700117	CASTLE CRE																	
*5700117	CASTLE CRE																	
A5700117	CASTLE CRE																	
R5700117	CASTLE CRE																	
5700133	CASTLE CRE																	
*5700133	CASTLE CRE																	
A5700133	CASTLE CRE																	
R5700133	CASTLE CRE																	
5700145	CASTLE CRE																	
A5700145	CASTLE CRE																	
5700146	CASTLE CRE																	
*5700146	CASTLE CRE																	
A5700146	CASTLE CRE																	
R5700146	CASTLE CRE																	
5700157	CASTLE CRE																	
A5700157	CASTLE CRE																	
5702210A	GROUNDWATER																	
*5702210A	GROUNDWATER																	
A5702210A	GROUNDWATER																	
5702210B	GROUNDWATER																	
*5702210B	GROUNDWATER																	
A5702210B	GROUNDWATER																	
R5702210B	GROUNDWATER																	

MOVE to

BLM LAND

APPLICANT

NON-APPLICANT LAND

no other irrig. rights on applicant's land or BLM land

OVERLAP CONCLUSION

12/29/97

IDAHO DEPARTMENT OF WATER RESOURCES
PLACE OF USE 1/4 1/4 COMPARISON REPORT

DATE: 11/17/97
PAGE: 2

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		NE		NW		SW		SE		NE		NW		SW		SE		
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
5702238	GROUNDWATE :																	
5702242	GROUNDWATE :													40	07			: 47
5702330	GROUNDWATE :													40	07			: 47
*5702330	GROUNDWATE :													27				: 27
A5702330	GROUNDWATE :													13				: 13
R5702330	GROUNDWATE :													13				: 13
*5710518	CASTLE CRE :													13				: 13
A5710518	CASTLE CRE :													35	02			: 37
														35	02			: 37



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

December 23, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MR SAM STEINER
WATERMASTER #57C
HC 79 BOX 2235
OREANA ID 83650

RE: RANDALL TRANSFER APPLICATION NO. 5173

Dear Mr. Steiner:

Enclosed is a copy of the recent legal notice for the Randall transfer application that involves a number of Castle Creek water rights. Please review the proposal and provide your comments on the enclosed form.

As you can see from the legal notice, the application to change the rights will resolve an objection in the SRBA.

Thank you for your prompt reply, and please let me know if you need more information.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure

MICROFILMED

JUN 09 1998

The Owyhee Avalanche

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
COUNTY OF OWYHEE)

RECEIVED

DEC 15 1997

WATER RESOURCES
WESTERN REGION

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

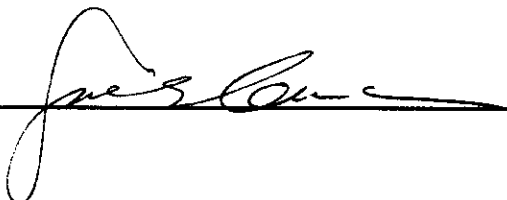
3. That the said The Owyhee Avalanche has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in

said newspaper, in Two (2)

(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

December 3 and 10, 1997

Signed 

Subscribed and sworn to me this 10th day of December A.D., 19 97



Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires April 22, 2002

MICRO
JUN 0



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 8, 1997

FRED PRICE
BUREAU OF LAND MGMT
1387 S VINNELL WY
BOISE ID 83709-1657

Re: Application for Transfer of Permit No. 57-00101, 57-00111, 57-00133 and 57-00146 in
the Name of Michael &/or Charlene Randall

Dear Sir:

Enclosed is a copy of the above-referenced application for transfer for your review. We understand that, according to your letter of March 13, 1997, you have no objections to this transfer. However, please review the application and submit any comments you may have before December 22, 1997.

If you have any questions regarding the application, please contact this office.

Sincerely,

Gary Spackman

GS:st

Encl.

MICROFILMED

JUN 09 1998

WRS609NP
No. 157-00084

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/26/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHARLENE RANDALL	04/01/1870	IRRIGATION	04/01 10/15	0.500 CFS	
C	MICHAEL W RANDALL					
D	EVA M JOHNSTON					
TOTAL DIVERSION:					0.500 CFS	

Water Source: CASTLE CREEK Tributary to: SNAKE RIVER Stage: DECREED

Point(s) of Diversion: T05S R01E S21 SESEW OMYHEE County
S29 NWSESE OMYHEE County

Place of use Legal Description for: IRRIGATION

NAME	NAME	SENE	NAME	NAME	SENE	NAME	NAME	SENE	NAME	NAME	SENE	SUM	
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: SUM
05S	01E	21	:										:
			:	23		16		30		12		28	:
TOTAL ACRES												109.0	
												109.0	

Pou County: OMYHEE

Other Rights: SEE REMARKS

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
157-00101 157-00111 157-00133 157-00146

Other Water Rights Listing Overlapping Place(s) of use:
57-00084 57-00101 57-00111 57-00133 57-00146 57-02210A 157-00101 157-00111 157-00133 157-00146
157-02210A

Conditions of Approval:
C01 - THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT
- TO IDAHO CODE 42-1416(1).

Remarks:
USE OF THIS RIGHT WITH RIGHT NOS. 57-00101, 57-00111, 57-00133,
57-00146 AND 57-02210A IS LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 1.82 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME
OF 318.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 91.0
ACRES IN A SINGLE IRRIGATION SEASON.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 57-00101, 57-00111, 57-00133 AND 57-00146.

Dates: App. Received: 04/01/1870
Proof Due Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 57C Field Exam Fee:

WR5809NP
No. 157-00084

IDAH0 DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/26/97
PAGE: 2

Comments: Date: 03/28/1996 User-ID: RMC CARTH Subject: OWNERSHIP CHANGE
JOHNSTON TO RANDALL

Date: 08/08/1997 User-ID: SSHERMAN Subject: NOTICE OF APPEARANCE
NOTICE OF APPEARANCE FROM D V STEENSON APPEARING FOR MICHAEL AND
CHARLENE RANDALL.

Date: 11/26/1997 User-ID: STAYLOR Subject: TRANSFER NO. 5173
Use of rights in transfer no. 5173 is limited to a total
combined diversion rate of 2.1 cfs.
Use of rights in transfer no. 5173 is limited to the irrigation
of a combined total of 109.0 acres in a single irrigation season.
Transfer no. 5173 is filed to change the place of use.

Audit: 11/26/97 STAYLOR

DATE: 11/26/97
PAGE: 3

0.100 CFS

Stage: DECREED

DAYHEE County
DAYHEE County

23

TOTAL ACRES

Other Rights: SEE REMARKS

T57-00084	T57-00111	T57-00133	T57-00146
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T57-02210A

- TO IDAHO CODE 42-1416(1).

DESCRIBED ABOVE: 57-00084, 57-00111, 57-00133 AND 57-00146.

Licensed Date:

Water District Number: 57C

Field Exam Fee:

MR5809NP
No. 757-00101

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/26/97
PAGE: 4

Comments: Date: 03/28/1996 User-ID: RMCARTH Subject: OWNERSHIP CHANGE
JOHNSTON TO RANDALL

Date: 08/08/1997 User-ID: SSHERMAN Subject: NOTICE OF APPEARANCE
NOTICE OF APPEARANCE FROM D V STEENSON APPEARING FOR MICHAEL AND
CHARLENE RANDALL.

Date: 11/26/1997 User-ID: STAYLOR Subject: TRANSFER NO. 5173
Use of rights in transfer no. 5173 is limited to a total
combined diversion rate of 2.1 cfs.
Use of rights in transfer no. 5173 is limited to the irrigation
of a combined total of 109.0 acres in a single irrigation season.
Transfer no. 5173 is filed to change the place of use.

Audit: 11/26/97 STAYLOR

DATE: 11/26/97
PAGE: 5

TOTAL DIVERSION: 0.600 CFS

Stage: DECREED

DAYHEE County
DAYHEE County

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TOTAL ACRES

T57-00084 T57-00101 T57-00133 T57-00146

T57-02210A

- TO IDAHO CODE 42-1416(1).

SINGLE IRRIGATION SEASON.

Licensed Date:

Water District Number: 57C

WR5809NP
No. 157-00111

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/26/97
PAGE: 6

Comments: Date: 03/28/1996 User-ID: RMCARTH Subject: OWNERSHIP CHANGE
JOHNSTON TO RANDALL

Date: 08/08/1997 User-ID: SHERMAN Subject: NOTICE OF APPEARANCE
NOTICE OF APPEARANCE FROM D V STEENSON APPEARING FOR MICHAEL AND
CHARLENE RANDALL.

Date: 11/26/1997 User-ID: STAYLOR Subject: TRANSFER NO. 5173
Use of rights in transfer no. 5173 is limited to a total
combined diversion rate of 2.1 cfs.
Use of rights in transfer no. 5173 is limited to the irrigation
of a combined total of 109.0 acres in a single irrigation season.
Transfer no. 5173 is filed to change the place of use.

Audit: 11/26/97 STAYLOR

DATE: 11/26/97
PAGE: 7

TOTAL DIVERSION: 0.200 CFS

Stage: DECREED

DAYHEE County
DAYHEE County

NE
E 2nd
Occur

TOTAL ACRES 109.0

Other Rights: SEE REMARKS

157-00101 157-00111 157-00146

157-02210A

- TO IDAHO CODE 42-1416(1).

USE OF THIS RIGHT WITH RIGHT NO. 57-00084 AND OTHER RIGHTS LISTED THEREIN IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.82 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 318.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 91.0 ACRES IN A SINGLE IRRIGATION SEASON.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00084, 57-00101, 57-00111 AND 57-00146.

App. Received:	Priority Date:	04/01/1902
Proof Due Date:	Proof Made Date:	
Exam Made Date:	Exam Sent to S.O.:	
Licensed Date:		

Water District Number: 57C Field Exam Fee:

Comments:

Date: 07/14/1992 User-ID: SMITH Subject: DATA ENTRY
CHANGED CFS ON WATER USE SCREEN TO .200
NO CHANGE TO VERIFICATION STATUS

Date: 03/28/1996 User-ID: RMCARTH Subject: OWNERSHIP CHANGE
JOHNSTON TO RANDALL

Date: 08/08/1997 User-ID: SSHERMAN Subject: NOTICE OF APPEARANCE
NOTICE OF APPEARANCE FROM D V STEENSON APPEARING FOR MICHAEL AND
CHARLENE RANDALL.

Date: 11/26/1997 User-ID: STAYLOR Subject: TRANSFER NO. 5173
Use of rights in transfer no. 5173 is limited to a total
combined diversion rate of 2.1 cfs.
Use of rights in transfer no. 5173 is limited to the irrigation
of a combined total of 109.0 acres in a single irrigation season.
Transfer no. 5173 is filed to change the place of use.

Audit: 11/26/97 STAYLOR

HR5809NP
No. T57-00146

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/26/97
PAGE: 9

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MICHAEL V RANDALL	04/01/1906	IRRIGATION	04/01 10/15	0.300 CFS	
C	CHARLENE RANDALL					
D	EVA M JOHNSTON					
TOTAL DIVERSION:					0.300 CFS	

Water Source: CASTLE CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T05S R01E S21
S29

SESENM
MSESE

DAYNEE County
DAYNEE County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R	S	NE	NW	SE	NE	NW	SE	NE	NW	SE	NE	NW	SE	SE	SE		
05S	01E	21	NE	NW	SE	NE	NW	SE	NE	NW	SE	NE	NW	SE	SE	SE	SUM	
:	:	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	109.0
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Pou County: DAYNEE

Other Rights: SEE REMARKS

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
T57-00084 T57-00101 T57-00111 T57-00133

Other Water Rights Listing Overlapping Place(s) of use:
57-00084 57-00101 57-00111 57-00133 57-00146 57-02210A T57-00084 T57-00101 T57-00111 T57-00133

Conditions of Approval:
C01 - THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT
- TO IDAHO CODE 42-1416(1).

Remarks:
USE OF THIS RIGHT WITH RIGHT NO. 57-00084 AND OTHER RIGHTS
LISTED THEREIN IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
1.82 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 318.5
AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 97.0 ACRES IN A
SINGLE IRRIGATION SEASON.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 57-00084, 57-00101, 57-00111 AND 57-00133.

Dates:
App. Received: App. Made Date: 04/01/1906
Proof Due Date: Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 57C Field Exam Fee:

URS809NP
No. 157-00146

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/26/97
PAGE: 10

Comments: Date: 03/28/1996 User-ID: RMCCARTH Subject: OWNERSHIP CHANGE
JOHNSTON TO RANDALL

Date: 08/08/1997 User-ID: SSHERMAN Subject: NOTICE OF APPEARANCE
NOTICE OF APPEARANCE FROM D V STEENSON APPEARING FOR MICHAEL AND
CHARLENE RANDALL.

Date: 11/26/1997 User-ID: STAYLOR Subject: TRANSFER NO. 5173
Use of rights in transfer no. 5173 is limited to a total
combined diversion rate of 2.1 cfs.
Use of rights in transfer no. 5173 is limited to the irrigation
of a combined total of 109.0 acres in a single irrigation season.
Transfer no. 5173 is filed to change the place of use.

Audit: 11/26/97 STAYLOR

WR5809NP
No. T57-02210A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/26/97
PAGE: 11

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MICHAEL W RANDALL	08/16/1954	IRRIGATION	03/15 11/15	1.800 CFS	
C	CHARLENE RANDALL					
D	EVA M JOHNSTON					
TOTAL DIVERSION:					1.440 CFS	324.00 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T05S R01E S21 SEMSW DAYHEE County

Place of use Legal Description for: IRRIGATION											
NE			NW			SW			SE		
NESE	SWSE	SESE	NESE	SWSE	SESE	NESE	SWSE	SESE	NESE	SWSE	SESE
T	R	S	lt	Ac	lt	Ac	lt	Ac	lt	Ac	lt
05S	01E	21	:	:	:	:	:	:	:	:	:
				23			16	30		12	28
				:			:	:		:	:
TOTAL ACRES										:	109.0
											109.0

Pou County: DAYHEE

Other Rights: SEE REMARKS

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
57-02210A

Other Water Rights Listing Overlapping Place(s) of use:
57-00084 57-00101 57-00111 57-00133 57-00146 57-02210A T57-00084 T57-00101 T57-00111 T57-00133
T57-00146

Remarks:
WATER TEMPERATURE MEASURED AT 144 DEGREES F.
USE OF THIS RIGHT WITH RIGHT NO. 57-00084 AND OTHER RIGHTS
LISTED THEREIN IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
1.82 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF
318.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 91.0 ACRES
IN A SINGLE IRRIGATION SEASON.

Dates: App. Received: Priority Date: 08/16/1954
 Proof Due Date: Proof Made Date: Exam Made Date: Exam Sent to S.O.:
 Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 11/18/1991 User-ID: MCCARTHY Subject: COPIED FROM REMARKS

TRANS. 964.
2 P/D IN WASH, S21, T5S, R1E; FROM WELL AND FROM COOLING POND.
THIS IS A HOT WATER WELL W/152 DEGREES F. TEMP. & PREVIOUSLY
ARTESIAN.
THIS IS A SPLIT RIGHT OF 57-02210.
ORIGINAL OWNER WAS ELMER JOHNSTON. EVA JOHNSTON (CURRENT OWNER)
WAS SPOUSE OF ELMER JOHNSTON AND RECEIVED PROPERTY VIA DISSOLUT-
ION OF MARRIAGE.
WHEN THIS RIGHT AND ALL OTHER RIGHTS ARE COMBINED, THE RATE OF
DIVERSION SHALL NOT EXCEED 0.02 CFS/ACRE.

Date: 03/28/1996 User-ID: RMCARTH Subject: OWNERSHIP CHANGE
JOHNSTON TO RANDALL, NO SPLIT

Date: 08/08/1997 User-ID: SHERMAN Subject: NOTICE OF APPEARANCE
NOTICE OF APPEARANCE FROM D V STEENSON APPEARING FOR MICHAEL AND
CHARLENE RANDALL.

Date: 11/26/1997 User-ID: STAYLOR Subject: TRANSFER NO. 5173
Use of rights in transfer no. 5173 is limited to a total
combined diversion rate of 2.1 cfs.
Use of rights in transfer no. 5173 is limited to the irrigation
of a combined total of 109.0 acres in a single irrigation season.
Transfer no. 5173 is filed to change the place of use.

Audit: 11/26/97 STAYLOR

NOV 21 1997

WATER RESOURCES
WESTERN REGION

**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

Subcase

Case No. 39576

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

David Allen 11-17-97
Objector/Attorney date

IDWR Concurrence date

David Allen 11-17-97
Claimant/Attorney date

Attorney for IDWR date

STANDARD FORM 5

MICROFILMED

JUN 09 1998

*this was attached to
attorney's 11/21/97 letter*

PAGE 1

AJ5856NP

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

DATE: NOV-17-1997

PAGE: A-1

RIGHTS FROM: SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-00084

NAME AND ADDRESS: EYA M JOHNSTON
597 5TH AVE SOUTHW
MANFA ID 83497

MICHAEL W RANDALL
CHARLENE R RANDALL
7761 MURPHY RD
MELBA ID 83651

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.5 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 57-00101, 57-00111,
57-00133, 57-00146 AND 57-02210A IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 2.18 CFS.

PRIORITY DATE: 04/01/1870

POINT OF DIVERSION: TOSSE ROIE S21 SESENW Within Owyhee County
S29 NWSESE

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	<u>Irrigation Season</u>	0.5 CFS
		<u>06/01 10/31</u>	

PLACE OF USE:	IRRIGATION	Within Owyhee County		
	TOSSE ROIE S21	NWNE 4	<u>NENW 23</u>	SENW 30
			<u>NENW 23</u>	SENW 22
		NESW 12	<u>NWSW 28</u>	

109 ACRES TOTAL
97 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-00101, 57-00111,
57-00133, 57-00146 AND 57-02210A IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 109.0 ACRES IN A SINGLE IRRIGATION SEASON.

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

USE OF THIS RIGHT WITH RIGHT NOS. 57-00101, 57-00111, 57-00133,
57-00146 AND 57-02210A IS LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 2.18 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME

SF5 - 57-00084

MICROFILMED
JUN 09 1998

AJ5856NP

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

DATE: NOV-17-1997

PAGE: A-2

57-00084 (CONT.)

OF 37849 AF/ AND TO THE IRRIGATION OF A COMBINED TOTAL OF 9318
ACRES IN A SINGLE IRRIGATION SEASON/
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 57/00101, 57/00111, 57/00133 AND 57/00146/

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT
TO JUDG CODE 62/1616111/

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 57-00101, 57-00111, 57-00133 &
57-00146.

SF5 - 57-00084

MICROFILMED
JUN 09 1998

AJ5856NP

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

DATE: NOV-17-1997

PAGE: A-1

RIGHTS FROM: SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-00101

NAME AND ADDRESS: EYA M JOHNSON
307 37N AVE SOUTHW
NANPA ID 83603

MICHAEL W RANDALL
CHARLENE R RANDALL
7761 MURPHY RD
MELBA ID 83651

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.1 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 57-00004, 57-00111,
57-00133, 57-00146 AND 57-02210A IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 2.18 CFS.

PRIORITY DATE: 04/01/1887

POINT OF DIVERSION: T05S R01E S21 SESEW Within Owyhee County
S29 NWESE

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
Irrigation Season
06/01 10/19

QUANTITY
0.1 CFS

PLACE OF USE:

IRRIGATION

Within Owyhee County

T05S R01E S21

NUNE 4

NENE 23

SNNW 12

SENE 30

NENE 23

SENE 22

NENE 12

NENE 28

109 ACRES TOTAL93 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-00004, 57-00111,
57-00133, 57-00146 AND 57-02210A IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 109.0 ACRES IN A SINGLE IRRIGATION SEASON.

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

USE OF THIS RIGHT WITH RIGHT NOS. 57-00004 AND OTHER RIGHTS
LISTED THEREIN IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
2.18 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 325/3

SF5 - 57-00101

MICROFILMED

JUN 09 1998

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-17-1997
PAGE: A-2

57-00101 (CONT.)

AT/ AND TO THE IRRIGATION OF A COMBINED TOTAL OF 97/8 ACRES IN A
SINGLE IRRIGATION SEASON/
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE/ 57/00084/ 57/00111/ 57/00133 AND 57/00146/

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT
TO IDAHO CODE 62/1636(13)/

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 57-00084, 57-00111, 57-00133 &
57-00146.

SFS - 57-00101

MICROFILMED
JUN 09 1998

AJ5856NP

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

DATE: NOV-17-1997
PAGE: A-1

RIGHTS FROM: SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-00111

NAME AND ADDRESS: BYA JONNS70H
987 37H AVE 8007H
HARPA ID 83651

MICHAEL W RANDALL
CHARLENE R RANDALL
7761 MURPHY RD
MELBA ID 83651

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.6 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 57-00084, 57-00101,
57-00133, 57-00146 AND 57-02210A IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 2.18 CFS.

PRIORITY DATE: 04/01/1890

POINT OF DIVERSION: T05S R01E S21 SESEW Within Owyhee County
S29 NWSESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		<u>Irrigation Season</u>	0.6 CFS
		04/01 10/15	

PLACE OF USE:	IRRIGATION	Within Owyhee County		
T05S R01E S21	NWNE 4	<u>SENW 23</u>	SENW 12	<u>SENW 30</u>
		<u>SENW 22</u>		
	NESW 12	NWSW 28		

109 ACRES TOTAL
91 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-00084, 57-00101,
57-00133, 57-00146 AND 57-02210A IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 109.0 ACRES IN A SINGLE IRRIGATION SEASON.

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 57/00084, 57/00101, 57/00133 AND 57/00146.
USE OF THIS RIGHT WITH RIGHT NO. 57/00084 AND OTHER RIGHTS

SF5 - 57-00111

MICROFILMED
JUN 09 1998

AJ5856WP

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

DATE: NOV-17-1997

PAGE: A-2

57-00111 (CONT.)

LISTER THEREIN IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
1182 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 378.3
AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 9110 ACRES IN A
SINGLE IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT
TO LAND CODE 62/1676(23).

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE: 57-00084, 57-00101, 57-00133 &
57-00146.

SFS - 57-00111

MICROFILMED
JUN 09 1998

AJSB56NP

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

DATE: NOV-17-1997
PAGE: A-1

RIGHTS FROM: SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-00133

NAME AND ADDRESS: EYA M JOHNSON
307 5TH AVE SOUTH
HAWAII ID 83433

MICHAEL W RANDALL
CHARLENE R RANDALL
7761 MURPHY RD
MELBA ID 83651

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.2 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 57-00084, 57-00101, 57-00111, 57-00146 AND 57-02210A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.18 CFS.

PRIORITY DATE: 04/01/1902

POINT OF DIVERSION: T05S R01E S21 SESENW Within Owyhee County
S29 NUSESE

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
Irrigation Season
04/01 10/15

QUANTITY
0.2 CFS

PLACE OF USE:

IRRIGATION

Within Owyhee County

T05S R01E S21

NWNE 4

NENW 23

SWNW 12

SENE 30

NBNW 13

SENE 22

NESW 12

NWSW 28

109 ACRES TOTAL

93 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-00084, 57-00101, 57-00111, 57-00146 AND 57-02210A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 109.0 ACRES IN A SINGLE IRRIGATION SEASON.

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

USE OF THIS RIGHT WITH RIGHT NOS. 57-00084 AND OTHER RIGHTS LISTED THEREIN IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.02 CFS/ A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 376/3

SF5 - 57-00133

MICROFILMED
JUN 09 1998

AJ5856NP

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

DATE: NOV-17-1997

PAGE: A-2

57-00133 (CONT.)

AND TO THE IRRIGATION OF A COMBINED TOTAL OF 91.9 ACRES IN A
SINGLE IRRIGATION SEASON/
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 57-00084, 57-00101, 57-00111 AND 57-00146.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT
TO IDAHO CODE §2-1616(1)(c).

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE: 57-00084, 57-00101, 57-00111 &
57-00146.

SF5 - 57-00133

MICROFILMED
JUN 09 1998

AJ5856NP

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

DATE: NOV-17-1997

PAGE: A-1

RIGHTS FROM: SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-00146

NAME AND ADDRESS: EYA H JOHNSON
387 5TH AVE SOUTHW
MANPA ID 83687

MICHAEL W RANDALL
CHARLENE R RANDALL
7761 MURPHY RD
MELBA ID 83651

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.3 CFS
USE OF THIS RIGHT WITH RIGHT NOS. 57-00084, 57-00101,
57-00111, 57-00133 AND 57-02210A IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 2.18 CFS.

PRIORITY DATE: 04/01/1906

POINT OF DIVERSION: T05S R01E S21 SESENW Within Owyhee County
S29 NWSESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		<u>Irrigation Season</u>	0.3 CFS
		06/01 10/31	

PLACE OF USE:	IRRIGATION	Within Owyhee County		
T05S R01E S21	NWNE 4	<u>NENW 23</u>	SWNW 12	<u>SENEW 30</u>
		<u>NENW 23</u>		<u>SENEW 22</u>
	NESW 12	<u>NWSW 28</u>		

109 ACRES TOTAL
93 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-00084, 57-00101,
57-00111, 57-00133 AND 57-02210A IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 109.0 ACRES IN A SINGLE IRRIGATION SEASON.

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

USE OF THIS RIGHT WITH RIGHT NOS. 57-00084 AND OTHER RIGHTS
LISTED THEREIN IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
2.18 CFS; A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 316/3

SF5 - 57-00146

MICROFILMED

JUN 09 1998

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-17-1997
PAGE: A-2

57-00146 (CONT.)

AP/ AND TO THE IRRIGATION OF A COMBINED TOTAL OF 9110 ACRES IN A
SINGLE IRRIGATION SEASON/
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 57-00004, 57-00101, 57-00111 AND 57-00133.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT
TO IDAHO CODE 42-1636111.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE: 57-00004, 57-00101, 57-00111 &
57-00133.

SF5 - 57-00146

MICROFILMED
JUN 09 1998

AJS856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-17-1997
PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 57-02210A

NAME AND ADDRESS: EYA M JOHNSON
397 37N AVE SOUTH
HAMPDEN ID 83651MICHAEL W RANDALL
CHARLENE R RANDALL
7761 MURPHY RD
MELBA ID 83651

SOURCE: GROUNDWATER

QUANTITY: 1.8 CFS
2188 EPS
472.5 APY
32619 APYUSE OF THIS RIGHT WITH RIGHT NOS. 57-00084, 57-00101,
57-00111, 57-00133 AND 57-00146 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 2.18 CFS.

PRIORITY DATE: 08/16/1954

POINT OF DIVERSION: T05S R01E S21 SENWSW Within Owyhee County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	1.8 CFS
		93/93 11/93	2188 EPS
			472.5 APY

PLACE OF USE:	IRRIGATION	Within Owyhee County			
T05S R01E S21	NWNE 4	NENE 23	SUNW 12	SENE 30	
		NENW 13	SNNW 7	SENN 22	
	NESW 12	NWSW 28			
		NWSW 16			

109 ACRES TOTAL72 ACRES 707AKUSE OF THIS RIGHT WITH RIGHT NOS. 57-00084, 57-00101,
57-00111, 57-00133 AND 57-00146 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 109.0 ACRES IN A SINGLE IRRIGATION SEASON.

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

WATER TEMPERATURE MEASURED AT 106 DEGREES F/

SFS - 57-02210A

MICROFILMED

JUN 09 1998

AJ5856NP

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

DATE: NOV-17-1997

PAGE: A-2

57-02210A (CONT.)

USE OF THIS RIGHT WITH RIGHT NO. 97/00004 AND OTHER RIGHTS
LISTED THEREIN IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
1/02 CFS; A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF
370/3 AF; AND TO THE IRRIGATION OF A COMBINED TOTAL OF 91/0 ACRES
IN A SINGLE IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
WATER TEMPERATURE MEASURED AT 144 DEGREES F.

SFS - 57-02210A

MICROFILMED
JUN 09 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 11/20/97

TO: Dan Steenson

FROM: Gary Spackman

DOCUMENT DESCRIPTION: Please note changes -
In SWNW changed from 12 acres to 16 acres
In SENW changed from 34 acres to 30 acres

TOTAL PAGES SENT: 1 + COVER SHEET

CONTACT: _____

As we discussed you send a letter requesting the change as described.

MICROFILMED

JUN 09 1998

age 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Michael W & Charlene Randall Phone 208 495 280
Post Office address 7761 Murphy Rd Melba Id 83641

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 _____

2. Describe the reason for the proposed changes To relocate 4 acres off BLM
property onto private property to resolve SRBA objections.
NEWEST SRBA RECOMMENDATIONS include combined 2.10 cfs for 109 acres.
BLM land is in NWNE S.21, move 4 acres from there to private land in SENW.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE Attachment 1

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
			<i>Irrigation</i>	
				to
				to
				to
<i>combined rights limited to</i>				to

2. Total amount of water being transferred \$ 2.10 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Castle Creek tributary to Snake River

4. Point(s) of Diversion: Groundwater (57-02210A) N/A

all other rights {

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SE	NW	21	5S	1E	Owyohee	Castle Creek, downstream p/d
	NW	SE	SE	29	5S	1E	"	" " , upstream p/d
	SE	NW	SW	21	5S	1E	"	geothermal well (57-02210A)

5. Lands irrigated or place of use: All Right combined limited to 109 acres as below:

[illegible]

CONVERSATION MEMORANDUM

DATE 11/17/97

FILE _____

NAME OF PARTY John Marshall c Iowa

7-5404

EMPLOYEE JKRE: Status of Transfer Appls.

① Randall 57-00084 etc.

Trial this Thursday -

a) new R records, gave back Hro/Ames had
out for expansion issue resolved.b) I'll print new records & let him know
* → < Thurs 11/20 if after OK to process
now.

c) BLM release ID file, see 3/13/97 letter

② Smith 57-02266 etc.

a) need BLM release letter John will
contact them & Hst.

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* Followup < 11/20 needed - call John
w/ newest status report & letter

- Randed xfer -

8/27/97

Casth Ck deeread
 5 Rights .50 cts
 .10
 .60
 .20
 .30
 1.70 yds

85" implies 85 acres
 per deere duty

Division of
 TAN + Resource -
 these problems need to
 be resolved before process

1 right licensed well

1.80 yds 90" 127 acres

To process - need

① current R records (attach 1 = right after
 change)

to show -4 ac. NUNE (Bum land) +4 ac.
 JENW (private land)

② can creek H2O exceed 85 acres?

if yes : expansion claim needed for $91-85=6$
 acres

if no : revision R records : xfer appl

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Possible? each creek use = # acres per # inches, used
 within combined 91 ac. "Poon" of 85 ac. limit/yr.

MEMO

7/9/97

TO: Randall Transfer File

FROM: Lori Graves

The purpose of this transfer is to resolve an objection filed by the BLM against the recommendation of right no.'s 57-00084, -00101, -00111, -00133, -00146, and -02210A in the SRBA. Four acres on the rights were listed on BLM ground. The SRBA directors report filings are used as the "recorded rights" since they reflect the current uses verified per field examination. The recommended rights (R records) reflect the rights after this requested change.

To resolve the objection, the four acres are to be removed from BLM ground and redistributed onto private ground via this transfer. BLM has submitted a release for the four acres in question (attachment 3).

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**NOTICE OF PROPOSED CHANGE OF WATER
RIGHTS, TRANSFER NO. 5173**

Notice is given that MICHAEL & CHARLIENE RANDALL of 7761 MURPHY RD, MELBA ID 83641 have applied to the Department of Water Resources (DWR) to change the Place of Use pursuant to I.C. § 42-222 for rights recorded as follows:

All locations in this notice are T5S R1E, Owyhee County.

Right #57-00084, priority 6-1-1870, .50 cfs.
#57-00101, 6-1-1887, .10 cfs.
#57-00111, 6-1-1890, .60 cfs.
#57-00133, 6-1-1902, .20 cfs.
#57-00146, 6-1-1906, .30 cfs.

The above decreed rights are from Castle Creek, tributary to Snake River. Diversion point(s) is not decreed. A common land list for irrigation, domestic and stock uses includes unspecified # of acres in W 1/2 S21.

License #57-02210A, 8-16-1954, 1.80 cfs from ground water (geothermal well & cooling pond) located in NWSW S21 to irrigate 127 acres & for domestic use in W1/2 S21.

The rights are recommended by DWR in the Snake River Basin Adjudication (SRBA) as above except as follows:

Castle Creek rights include 4-1 instead of 6-1 in each date of priority, 2 creek diversions are in SENW S21 & SESE S29, use is for irrigation only.

Licensed well & cooling pond is for irrigation use only.

All rights when combined are limited to 2.10 cfs to irrigate 109 acres in NWNE & W1/2 S21.

PROPOSED CHANGE FOR ALL RIGHTS

Cease irrigating 4 acres of public (BLM) land in NWNE S21 and add 4 acres of private land in SWNW S21. Total use will include rights as recommended in SRBA (except use on public land) with 2 creek diversions & geothermal well/pond to irrigate 109 acres with 2.10 cfs, all on applicants' land in W/12 S21. This change is filed to resolve a SRBA objection.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 on or before DECEMBER 22, 1997. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

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Post-it® Fax Note	7671	Date 12/1/97	# of pages 01
To DAN STEENSON	From STEVE LESTER		
Co./Dept. Ringier-Clark	Co.		
Phone #	Phone #		
Fax # 342-4657	Fax #		

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