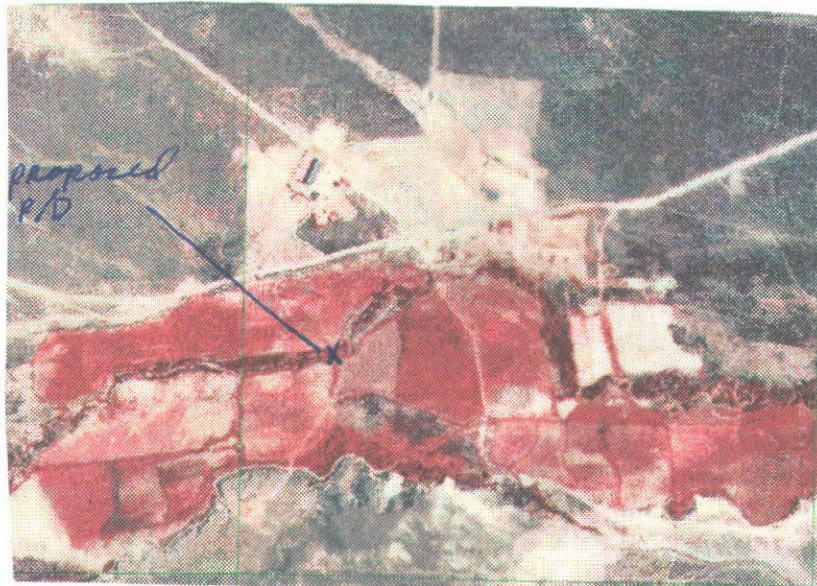
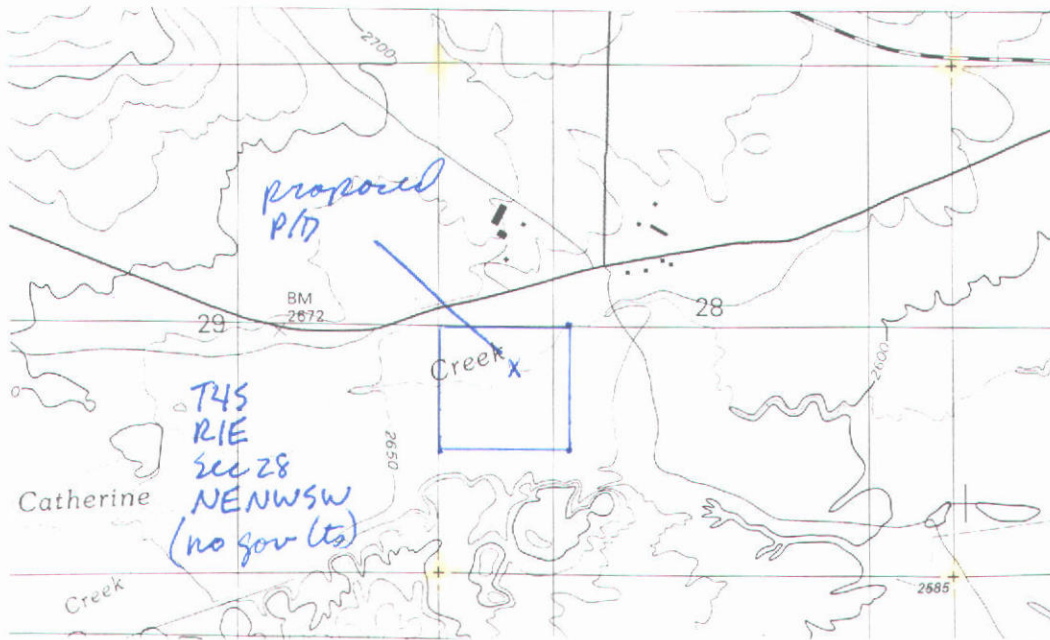


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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

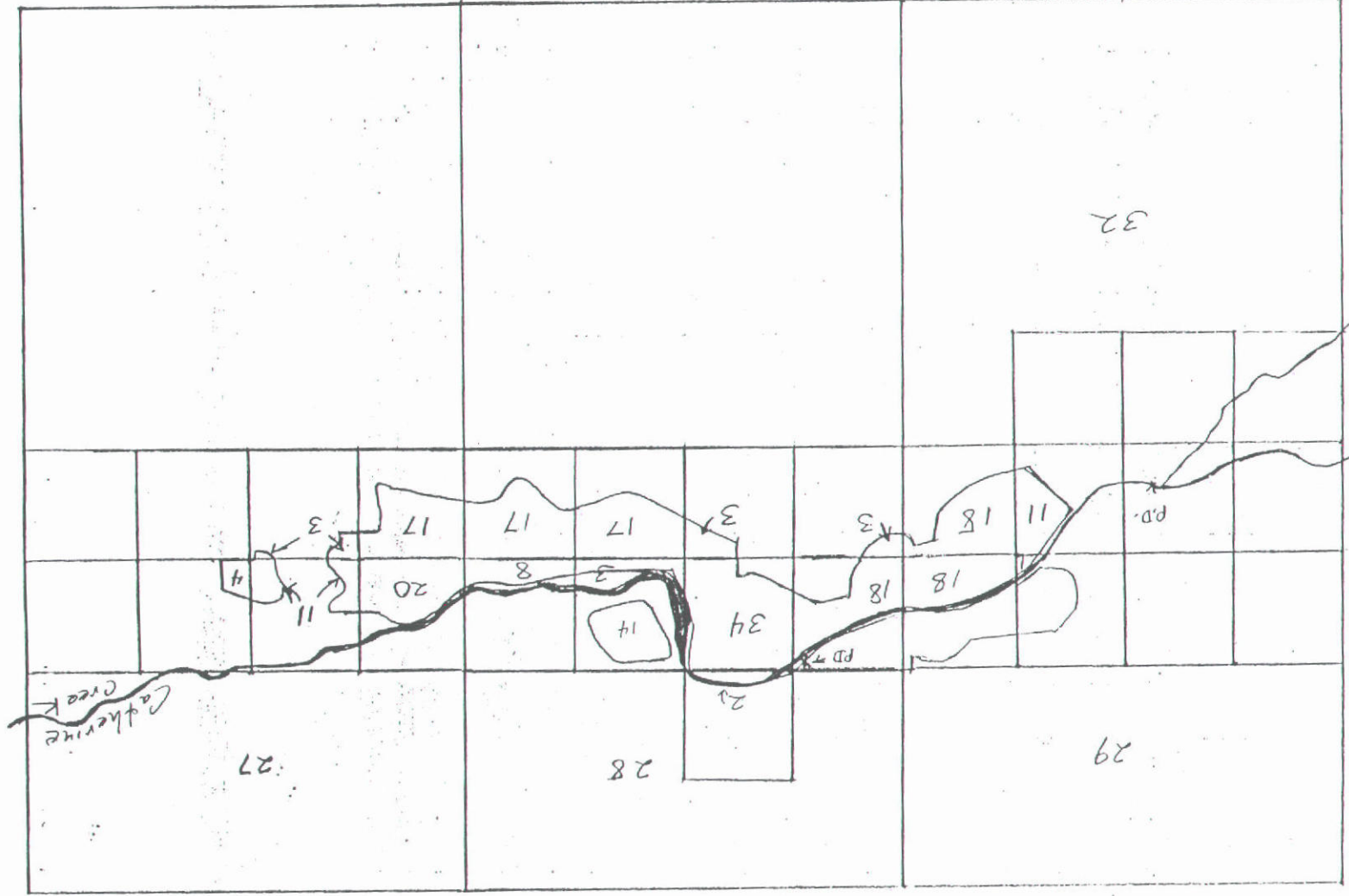
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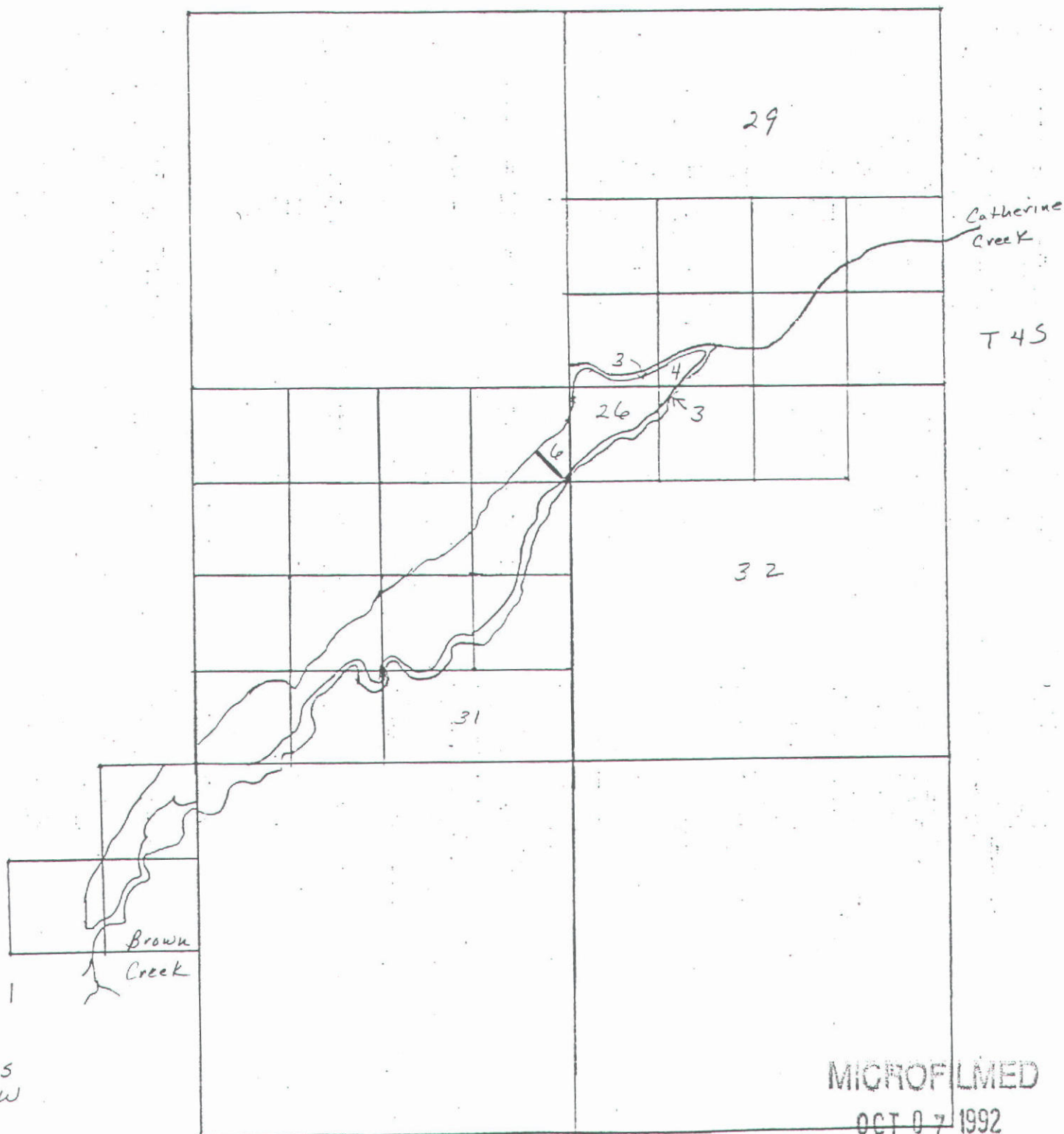


A57-00040
A57-00049
A57-00050
A57 00054

RIF

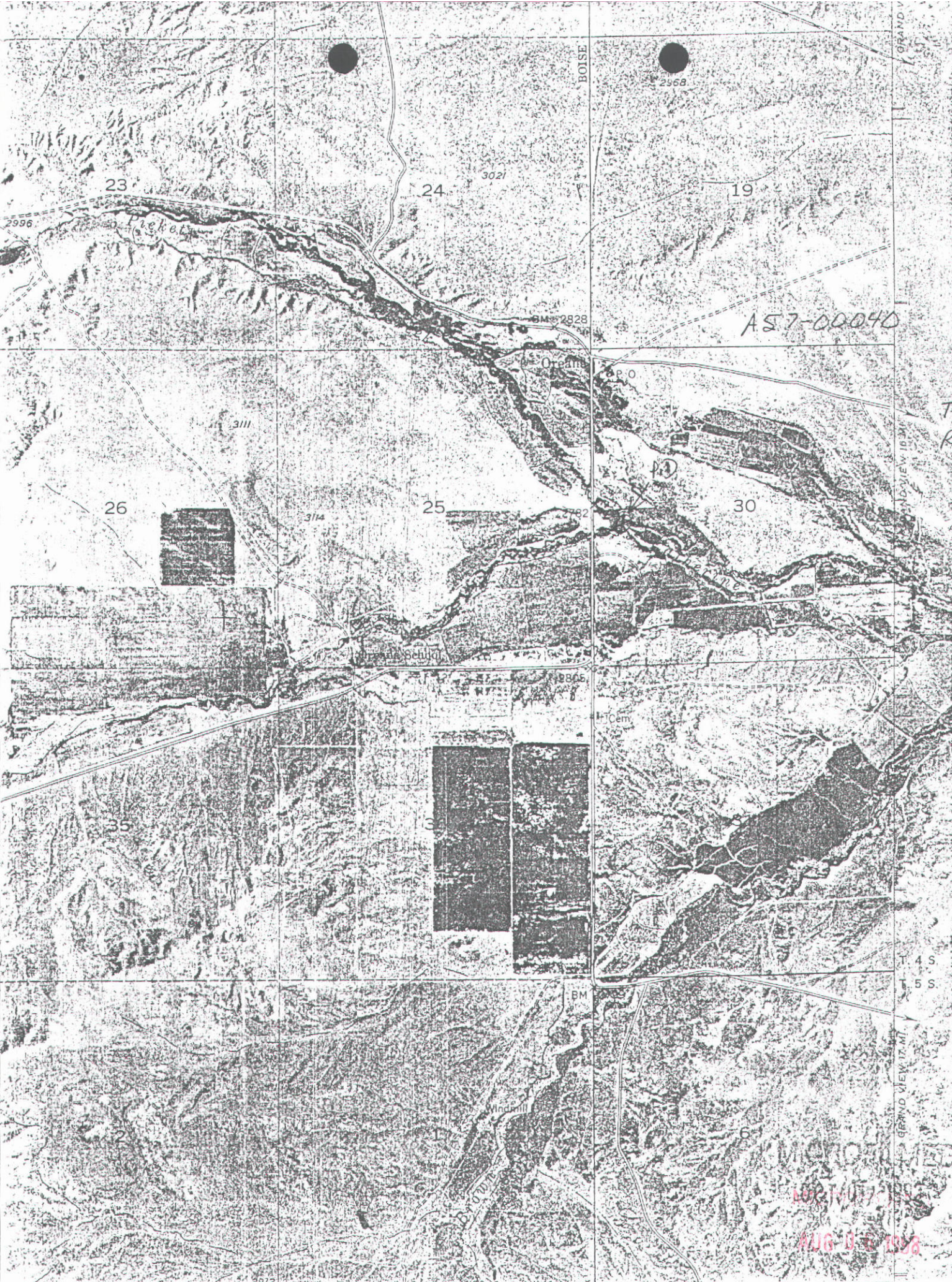
715

A 57-00040
A57-00049
A57-00050
A57-00054



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R 1 E



AS7-00040

T45
R1E

MICROFILMED
10/21/07 1956
AUG 06 1996

The Owyhee Avalanche

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

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
COUNTY OF OWYHEE)

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 17 and 24, 1997

Signed Joe E. Aman

Subscribed and sworn to me this 24th day of December A.D., 19 97

Stanley Anderson
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, *set* TRANSFER NO. 5182

Notice is given that **Linda Ferris &/or Robert, Kelly or Ben Thomas** of HC 79 Box 2060, Murphy ID 83650 have applied to the Department of Water Resources to change the point of diversion pursuant to I.C. § 42-222 for the following decreed rights in T4S R1E, Owyhee County:

#57-00040, priority 10-1-1869, 8.04 cfs, Catherine Creek tributary to Castle Creek, diverted in SESESW S.29 for irrigation and stockwater, 196 acres total.

#57-02235, priority 11-24-1959, 3.56 cfs, ground water diverted in SESWSW S.29 and injected into & rediverted from Catherine Creek at point described in 57-00040 to irrigate 237 acres.

When combined, both rights are limited to 8.86 cfs to irrigate 237 acres per year within portions of S.27, 28 and 29. These rights were recently decreed in the Snake River Basin Adjudication.

PROPOSED CHANGE

Add a Catherine Creek diversion point in NENWSW S.28, which will also be another rediversion point from the creek for ground water injected as described above.

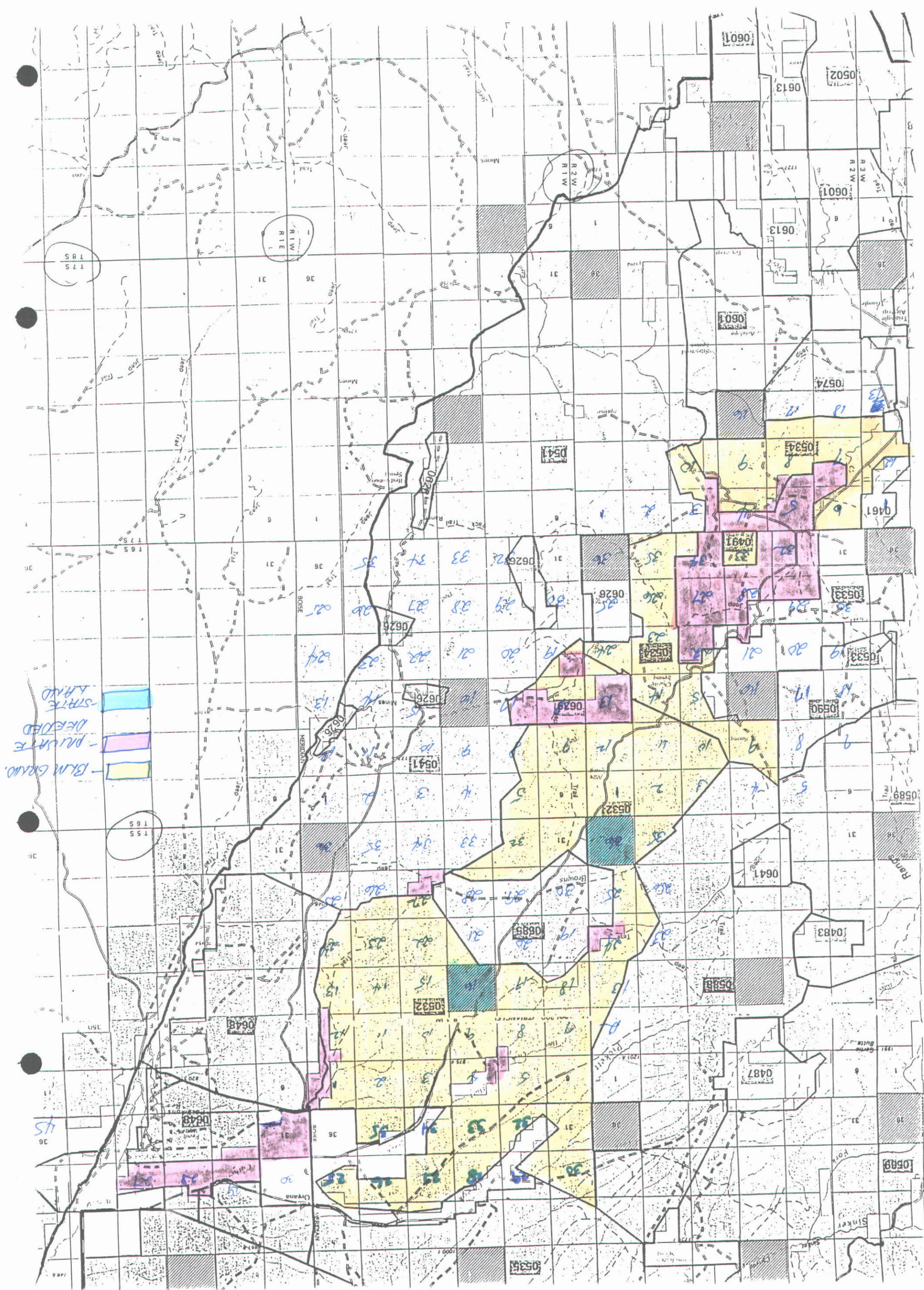
Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protests fee of \$25 on or before January 5, 1998. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director.

12/17&24/97

MICROFILMED

APR 06 1998



8-14-90

FIELD EXAM
TELEPHONE CONVERSATION MEMO

I.D. NUMBER A57-00040 & etc

NAME OF CONTACT Shirley Cox

PHONE NO. 834-2028 ADJ. AGENT Linda W.

DATE SET FOR EXAM 8-28-90 @ 8:30 Cancelled to 11-5-90 Approx. 9:00

LOCATION Cox residence - Ho. past Osuna turnoff 2 miles past this

See David Ranch sign. Turn right at that sign. Follow road to house - will see end of black barn & blue bldg. white mobile home & brown train - next to green house & white train

Diverting at full rates? No

Type of measuring devices? None

Places to make measurements? No

Type of system? (pipeline, ditches) Dams, ditches from creek

How many laterals are used? Well - ditches to cooling pond to ditches - all gravity flow.

Length and size of mainline?

Size of Motor used for each P/D? Artesian

Estimate of depth to water?

Pressure at well?

Pressure at sprinkler head? N/A

Irr. 300 acres from well. Irr. some acreage from spring. This water intermixed with well. Brown & creek & others haven't run in 5 yrs. They jump around when irr. from well. Pickett & Hart are trib. to Cashmere creek so some diversions may be on Pickett creek.

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OCT 17 1992



PT. OF DIV. #2 - CATHERINE CK.
A57-00040 - INCLUDES HOT WELL
WATER UNDER 57-02235.

MICROFILMED
OCT 07 1992

SD-0611-2 Basin: 57 Starting Water Right: 00040

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
	57-00040			00/00/0000	/			
	57-00040A	HUNT, CORA MAUDE	C	10/01/1869	D/	CATHERINE CREEK	IRR DOMEST STOCK	WR WR
	57-00040B	NEIL, J. M.	C	10/01/1869	D/	CATHERINE CREEK	IRR DOMEST STOCK	WR WR
	X57-00040	FERRIS, LINDA K THOMAS, ROBERT A THOMAS, KELLY A THOMAS, BEN A	C C C C	10/01/1869	D/	CATHERINE CREEK	IRR STOCK	WR
	57-00040	FERRIS, LINDA K THOMAS, KELLY A THOMAS JR, BEN A THOMAS, ROBERT A	C C C C	10/01/1869	D/	CATHERINE CREEK	IRR STOCK	AJ

SD-0611-2 Basin: 57 Starting Water Right: 00040

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
	57-00040A	COMBINED RIGHT	C	10/01/1869	/Z	CATHERINE CREEK COMBINED RIGHT	IRR DOMEST STOCK	AJ
	57-00040B	COMBINED RIGHT	C	10/01/1869	/Z	CATHERINE CREEK COMBINED RIGHT	IRR DOMEST STOCK	AJ
	A57-00040	COX, SHIRLEY	C	10/01/1869	D/	CATHERINE CREEK	IRR STOCK	AJ
	A57-00040A	COMBINED RIGHT	C	10/01/1869	/Z	CATHERINE CREEK COMBINED RIGHT	IRR DOMEST STOCK	AJ
	A57-00040B	COMBINED RIGHT	C	10/01/1869	/Z	CATHERINE CREEK COMBINED RIGHT	IRR DOMEST STOCK	AJ

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

SCANNED
OCT 22 2004

MICROFILMED

AUG 06 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5182
WATER RIGHT NO(S). 57-00040/57-02235

This is to certify that: **LINDA K FERRIS**
ROBERT A THOMAS
KELLY A THOMAS
BEN A THOMAS
HC 79 BOX 2060
MURPHY ID 83650

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. 57-00040 :			
IRRIGATION	03/15 to 11/15	8.04 CFS	882.0 AF
STOCKWATER	01/01 to 12/31	0.24 CFS	13.4 AF
Priority: 10/01/1869			
		<u>8.04 CFS</u>	<u>895.4 AF</u>
Right No. 57-02235 :			
IRRIGATION	03/15 to 11/15	3.56 CFS	1066.5 AF
Priority: 11/24/1959			
		<u>3.56 CFS</u>	<u>1066.5 AF</u>
TOTAL:		* 11.60 CFS	* 1079.9 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
Right No. 57-00040 :	
CATHERINE CREEK	CASTLE CREEK
Right No. 57-02235 :	
GROUNDWATER	

LOCATION OF POINT(S) OF DIVERSION:

Right No. 57-00040 :

NWSW , Sec. 28, Township 04S, Range 01E
SESW , Sec. 29, Township 04S, Range 01E
OWYHEE County

Right No. 57-02235 :

Injection
Rediversion
Rediversion

SWSW , Sec. 29, Township 04S, Range 01E
SESW , Sec. 29, Township 04S, Range 01E
NWSW , Sec. 28, Township 04S, Range 01E
SESW , Sec. 29, Township 04S, Range 01E
MICROFILM OWYHEE County

AUG 06 1998

MICROFILM

TRANSFER NO. 5182
WATER RIGHT NO(S). 57-00040/57-02235

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>
Right No. 57-00040 :						
04S	01E	27	NESW 3	NWSW 18	SWSW 14	
			SESW 1			36
		28	SESW 1	NESW 34	NWSW 16	
			SWSW 5	SESW 3	NESE 7	
			NWSE 5	SWSE 17	SESE 18	106
		29	NESE 12	NWSE 1	SWSE 13	
			SESE 28			54
Total number of acres irrigated:						196

PLACE OF USE: STOCKWATER, same as IRRIGATION use

Right No. 57-02235 :						
04S	01E	27	NESW 3	NWSW 18	SWSW 14	
			SESW 1			36
		28	SWNW 3	SESW 1	NESW 34	
			NWSW 29	SWSW 5	SESW 3	
			NESE 7	NWSE 5	SWSE 17	
			SESE 18			122
		29	NESE 29	NWSE 9	SWSE 13	
			SESE 28			79
Total number of acres irrigated:						237

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 57B.
2. This right when combined with all other rights shall provide no 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. Rights 57-00040, 57-02235, and 57-10558 when combined shall not exceed a total diversion rate of 8.86 cfs, a total annual maximum diversion volume of 1066.5 af at the field headgate for the irrigation of 237.0 acres.
- * 6. The total instantaneous diversion of water from all points of diversion under Transfer 5182 shall not exceed 8.86 cfs, nor total combined annual volume of 1079.9 af.

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AUG 06 1998

TRANSFER NO. 5182
WATER RIGHT NO(S). 57-00040/57-02235

7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion, injection and redistribution that will allow the determination of the total rate of diversion.
8. Prior to the diversion and use of groundwater under Right 57-02235, the right holder shall install and maintain acceptable measuring devices at the point of diversion, at the point of injection into Catherine Creek, and at both points of redistribution from Catherine Creek to allow the determination of the total groundwater diversion.
9. The quantity of water under Right 57-00040 for stockwater use is not a determination of historical beneficial use, and shall not exceed 13,000 gallons per day.

Dated this 24th day of July, 1998

J. Glen Saylor
Chief, Water Allocation Bureau

MICROFILMED

AUG 06 1998

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No. 5182

APPLICATION FOR TRANSFER OF WATER RIGHT RECEIVED

APR 23 1998

Department of Water Resources

PART 1

Name of applicant LINDA K. FERRIS, +/01 ROBERT A. THOMAS +/02
KELLY A. THOMAS +/02 BEN A. THOMAS

Post Office address HC 79 BOX 2060 MURPHY ID 83650

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Proposed P/D would allow easier access to power for sprinkler irrigation

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>57-00040</u>	<u>10/1/1869</u>	<u>8.04</u>	<u>IRRIGATION</u>	<u>3/15</u> to <u>11/15</u>
<u>57-02235</u>	<u>11/24/1959</u>	<u>3.56</u>	<u>STOCKWATER</u>	<u>1/1</u> to <u>12/31</u>
			<u>IRRIGATION</u>	<u>3/15</u> to <u>11/15</u>

*2. Total amount of water being transferred 57-00040 : 8.04 _____ to _____
3. Source of water 57-02235 3.56 _____ cubic feet per second and/or _____ acre-feet per annum.

3. Source of water 57-02235 3.56 cubic feet per second and/or _____ acre-feet per annum.

4. Point(s) of Diversion: 57-00040: CATHERINE CR tributary to CASTLE CR
57-02235: GROUNDWATER

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SE	SW	29	45	1E	OWYHEE	EXISTING P/D FOR 57-00040
	"	"	"	"	"	"	"	" POINT OF INJECTION + RE-DIV FOR 57-02235
	SE	SW	SW	29	"	"	"	" P/D FOR 57-02235
	NE	NW	SW	28	"	"	"	PROPOSED P/D FOR 57-00040
5. Lands irrigated or place of use:								NO CHANGE
								" RE-DIV FOR 57-02235

5. Lands irrigated or place of use: NO CHANGE

[illegible]

-f2 12/10/97

Total acres

PART 1

6. General Information:

a. Description of diversion system

Dam, pump, pipe, sprinkler

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:

N/A

d. Remarks:

D'BA56 } COMMENTS
Creek irrigation & Rodinerson point are same as Sept. 57-07637, same well in additional area. Total for both rights in transfer are ~~that~~ is limited to 8.86 cfs and 237 Acre per irrigation season.

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 _____, 19 _____

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AUG 0 6 1998

DATE: 11/06/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LINDA K FERRIS	10/01/1869	IRRIGATION	03-15 11-15	8.04 CFS	
C	KELLY A THOMAS		STOCKWATER	01-01 12-31	0.24 CFS	
C	BEN A THOMAS JR					
C	ROBERT A THOMAS					
	HC 79 BOX 2060					
	MURPHY ID 83650					
				TOTAL DIVERSION:	8.04 CFS	

TOTAL DIVERSION:

Stage: DECREED
OWYHEE County

Tributary to: CASTLE CREEK

Water Source: CATHERINE CREEK

Point(s) of Diversion:

T04S R01E S29

SESESW

Place of use Legal Description for: IRRIGATION
NE

[illegible]

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: Owyhee

Other Rights: 57-02235/10558

Conditions of Approval:

- of Approval:
- N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NOS. 57-02235 AND 57-10558 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.86 CFS.

POU1 USE OF THIS RIGHT WITH RIGHT NOS. 57-02235 AND 57-10558 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 237 ACRES IN A SINGLE IRRIGATION SEASON.

EXP THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 57-00040A AND

57-000408.
RIGHT NO. 57-02235 IS RE-DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.
STOCKWATER, 1000 RANGE CATTLE.

Dates: **Exam Made Date:**

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag: C

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AUG 06 1998

Page 3 of 7

AJ0749NP
No. 57-02235

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/06/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT A THOMAS	11/24/1959	IRRIGATION	03-15 11-15	3.56 CFS	1066.50 AFA
C	KELLY A THOMAS					
C	BEN A THOMAS JR					
C	LINDA K FERRIS					
	HC 79 BOX 2060					
	MURPHY ID 83650					
D	SHIRLEY COX					
	HC 79 BOX 2065					
	OREANA ID 83650					
	(208) 834-2028					
				TOTAL DIVERSION:	3.56 CFS	1066.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T04S R01E S29
Point(s) of Injection: T04S R01E S29
Point(s) of Re-diversion: T04S R01E S29

SESWSW
SESESW
SESESW

OWYHEE County
OWYHEE County
OWYHEE County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE				SUM
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac				
04S	01E	27	:												03	18	14	01	:		36.0			
04S	01E	28	:											03	34	29	05	03	:	07 05 17 18	122.0			
04S	01E	29	:																:	29 09 13 28	79.0			
																				TOTAL ACRES	237.0			

POU County: OWYHEE

Other Rights: 57-00040, 57-10558

Conditions of Approval:

- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Remarks: SRC POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM
CATHERINE CREEK.

QNT USE OF THIS RIGHT WITH RIGHT NOS. 57-00040 & 57-10558 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.86 CFS.

POD THE AMOUNT OF WATER DIVERTED FROM CATHERINE CREEK SHALL BE
REDUCED WHEN NECESSARY TO PREVENT INJURY TO APPROPRIATORS OF
WATER FROM CATHERINE CREEK DOWNSTREAM FROM THE POINT OF
REDIVERSION.

POU1 USE OF THIS RIGHT WITH RIGHT NOS. 57-00040 & 57-10558 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 237 ACRES IN A
SINGLE IRRIGATION SEASON.

EXP RIGHT NO. 57-00040 IS ALSO DIVERTED THROUGH POINT OF
REDIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: Verified Date: 04/16/1997 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: C

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AUG 06 1998

Page 4 of 7

PART 2

Transfer No. _____

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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

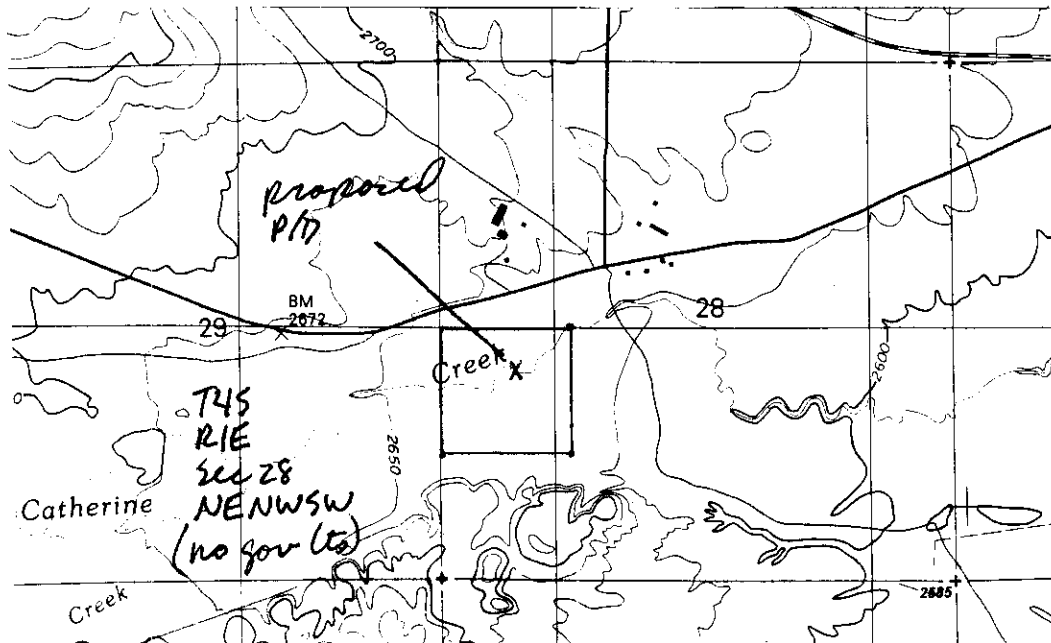
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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AUG 06 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
AUG 06 1998

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

MICROFILMED
AUG 8 1998

Copy of transfer sent to lien holder _____

rec'd. _____ by _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

Hearing held by _____ Date _____

Copies of protest forwarded by _____

Received by _____ Date _____

Prelim. check by _____ Fee \$100 #W023217

Received by _____ Date 11/5/97

Transfer contains _____ pages and _____ attachments

Protest filed by _____

FOR DEPARTMENT USE ONLY

My commission expires _____ 6/18/98

Subscribed and sworn to before me this _____ day of _____, 1997.

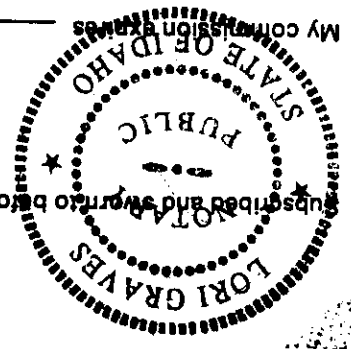
(Signature of Applicant) *Robert A. Thomas*

(Notary Public) *for Thomas*

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

of the original right. The information contained in this application is true to the best of my knowledge.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use



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

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

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

RECEIVED

SEP 15 1997

Department of Water Resources

1997 SEP 12 AM 9:04

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA

Case No. 39576

) ORDER OF PARTIAL DECREE

) For Water Right 57-00040

On June 23, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 14a, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 57-00040 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED September 12, 1997.



DANIEL C. HURLBUTT, JR.

Presiding Judge

Snake River Basin Adjudication

MICROFILMED
AUG 06 1998

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-00040

1997 SEP 12 AM 9:04
DISTRICT COURT-5TH JUD
TWIN FALLS CO., IDAHO
FILED

NAME & ADDRESS: LINDA K FERRIS
KELLY A THOMAS
BEN A THOMAS JR
ROBERT A THOMAS
HC 79 BOX 2060
MURPHY ID 83650

SOURCE: CATHERINE CREEK TRIBUTARY: CASTLE CREEK

QUANTITY: 8.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

USE OF THIS RIGHT WITH RIGHT NOS. 57-02235 AND 57-10558 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.86 CFS.

PRIORITY DATE: 10/01/1869

POINT OF DIVERSION: T04S R01E S29 SESESW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	8.04 CFS
	STOCKWATER	01-01 12-31	0.24 CFS

PLACE OF USE:	IRRIGATION	Within Owyhee County			
	T04S R01E S27	NESW 3	NWSW 18	SWSW 14	SESW 1
	S28	SESW 1	NESW 34	NWSW 16	SWSW 5
		SESW 3	NESE 7	NWSE 5	SWSE 17
		SESE 18			
	S29	NESE 12	NWSE 1	SWSE 13	SESE 28
	196 ACRES TOTAL				

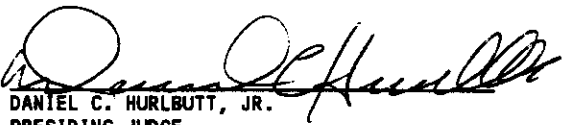
USE OF THIS RIGHT WITH RIGHT NOS. 57-02235 AND 57-10558 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 237 ACRES IN A
SINGLE IRRIGATION SEASON.

Place of use for STOCKWATER is same as IRRIGATION

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

DATED: SEP 12 1997


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

MICROFILMED

AUG 06 1998

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-00040

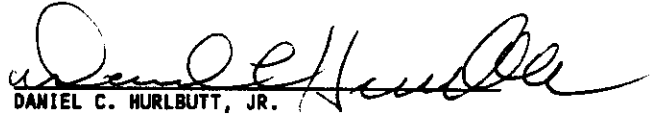
PAGE 1
AUG-12-1997

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED:

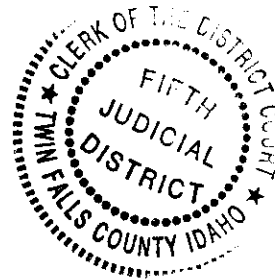
SEP 12 1997


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.

ROBERT S. FORT
CLERK OF THE DISTRICT COURT

By 
DEPUTY CLERK



MICROFILMED
AUG 06 1998

CCOPY

Incomplete forms will be returned.

- MICROFILMED
AUG 06 1998

220039

FILED-RECORDED

'96 OCT 8 PM 3 55

JIM HUNTLEY JR.
OWYHEE COUNTY RECORDER
BY *[Signature]*
DEPUTY

REQUEST OF
[Signature]
24.01

73a
KAT
R.A.T.

WARRANTY DEED

FOR VALUE RECEIVED, SHIRLEY M. MURDOCH, formerly Shirley M. Cox and DENNIS S. MURDOCH, her husband, the Grantors, do hereby grant, bargain, sell and convey unto ROBERT A. THOMAS and KELLY A. THOMAS, husband and wife, an undivided one-half interest; and unto BEN A. THOMAS, JR., a married person dealing with his sole and separate property an undivided one-fourth interest, all of HC 79 Box 2060, Murphy, Idaho 83650; and unto LINDA K. FERRIS, a married person dealing with her sole and separate property, of Palmer, Alaska, an undivided one-fourth interest, as Grantees and tenants in common, the following described real property situated in Owyhee County, State of Idaho, to-wit:

See Exhibit "A" attached hereto and by this reference made a part hereof.

Together with water rights pertaining thereto as described in Exhibit "B" attached hereto and by this reference made a part hereof.

Together with Bureau of Land Management grazing allotments applicable to the real property subject of this deed.

Together with State of Idaho grazing leases Nos. G-6190 and G-6008.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Subject to all easements and rights of way whether of record or not.

Subject to that certain Mortgage dated February 19, 1987, in which Shirley M. Cox, is mortgagor, and Federal Land Bank of Spokane, a corporation, is mortgagee, as recorded February 25, 1987, as Instrument No. 191762, in the Recorder's office of Owyhee County, Idaho, and as modified by that certain Agreement, executed by Shirley M. Cox and Farm Credit Bank of Spokane, recorded November 17, 1992, Instrument No. 209164 in the Recorder's office of Owyhee County, Idaho, and which mortgage Grantors herein, Shirley M. Murdoch, formerly Shirley M. Cox, and Dennis S. Murdoch, her husband, have agreed to

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AUG 06 1998

TELEPHONE 208-458-0001
9TH AND DEARBORN STS. - P.O. BOX 640
CALDWELL, IDAHO 83606-0640

1 pay and hold harmless the Grantees hereinbefore named,
2 for the payment of the money owed.

3 TO HAVE AND TO HOLD The said premises, with their
4 appurtenances unto the said Grantees, their heirs and assigns
5 forever. And the said Grantors do hereby covenant to and with
6 the said Grantees, that they are the owners in fee simple of said
7 premises; that said premises are free from all encumbrances, and
8 that they will warrant and defend the same from all lawful claims
9 whatsoever.

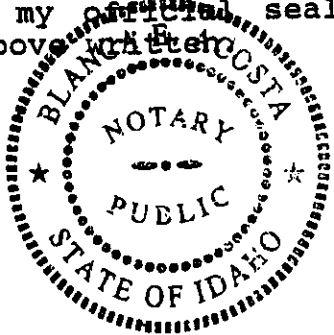
10 Dated this 7th day of October, 1996.

11 Shirley M. Murdoch
12 SS Murdoch

13 STATE OF IDAHO)
14) ss.
15 County of Canyon)

16 On this 7th day of October, 1996, before me, the
17 undersigned, a Notary Public in and for said State, personally
18 appeared SHIRLEY M. MURDOCH, formerly Shirley M. Cox, and DENNIS
19 S. MURDOCH, her husband, known to me to be the persons whose
20 names are subscribed to the within instrument, and acknowledged
21 to me that they executed the same.

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



25 Blanca E. Costa
26 Notary Public for Idaho
27 Residing at Nampa, Idaho
28 My commission expires 12-31-97

29 REQUEST OF

30 Blanca E. Costa
31 24.00

32 CHIEF CLERK OF DISTRICT COURT
33 CLERK OF DISTRICT COURT

34 06 OCT 15 PM 1 54

FILED-RECORDED

220075

Warranty Deed - 2

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AUG 06 1998

EXHIBIT A

The land referred to in this Commitment is described as follows:

TRACT I:

IN TOWNSHIP 4 SOUTH, RANGE 1 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 27: SW1/4,

W1/2SE1/4,

NE1/4SE1/4 ✓

Section 28: S1/2,

SE1/4NW1/4 LESS a tract of land in SE1/4NW1/4, Sec. 28, T4S, R1E, B. M., Owyhee County, Idaho more particularly described as follows: BEGINNING at the Northeast corner of the said SE1/4NW1/4 of Sec. 28, T4S, R1E, B. M.; a brass cap properly marked and set by the Bureau of Land Management in 1976; thence South 0°38' West a distance of 540.7 feet to an iron pin on the North right-of-way of the County Road; thence South 80°42'44" West a distance of 1348.24 feet along the North right-of-way of the County Road to the West boundary of said SE1/4NW1/4 of Section 28; thence

North 0°27' East along West boundary of said SE1/4NW1/4 of Sec. 28, a distance of 773.8 feet to an iron pin on the Northwest corner of said SE1/4NW1/4; thence

South 89°20' East a distance of 1330.56 feet to the POINT OF BEGINNING.

Section 29: S1/2

Section 31: Lots 1 (NW1/4NW1/4), 2 (SW1/4NW1/4), 3 (NW1/4SW1/4), 4 (SW1/4SW1/4),

NE1/4, ✓

E1/2W1/2, ✓

N1/2SE1/4; LESS the following description: A part of Lot 1 (NW1/4NW1/4) Sec. 31, T4S, R1E, B. M., more particularly described to-wit: COMMENCING at the Northwest corner of the NW1/4NW, Sec. 31, T4S, R1E, B. M.; thence

South 0°00' West 704 feet along the West line of said NW1/4NW1/4 to the INITIAL POINT of this description; thence

North 90° East 267 feet; thence

South 0°00' West 256 feet, parallel to the said West line; thence

South 90° West 267 feet, to a point on the West line; thence

North 0°00' East 256 feet along the West line to the INITIAL POINT of this description.

Section 32: NW1/4NE1/4, ✓

N1/2NW1/4 ✓

IN TOWNSHIP 5 SOUTH, RANGE 1 WEST, B. M., OWYHEE COUNTY, IDAHO

Section 1: Lot 1 ✓

S1/2NE1/4, ✓

N1/2SE1/4, ✓

SW1/4SE1/4 ✓

Section 4: W1/2SW1/4 ✓

Section 5: SE1/4SE1/4 ✓

Section 8: NE1/4NE1/4 ✓

Section 12: W1/2E1/2, ✓

NE1/4NW1/4 ✓

Section 13: NW1/4NE1/4 ✓

Section 27: S1/2SW1/4, ✓

NE1/4SW1/4, ✓

NW1/4SE1/4 ✓

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AUG 06 1998

IN TOWNSHIP 5 SOUTH, RANGE 2 WEST, B. M., OWYHEE COUNTY, IDAHO

Section 24: Lot 2 (SE1/4NE1/4), Lot 3 (NE1/4SE1/4),
NE1/4SW1/4,
NW1/4SE1/4

IN TOWNSHIP 6 SOUTH, RANGE 1 WEST, B. M., OWYHEE COUNTY, IDAHO

Section 17: NW1/4,
NW1/4SW1/4

Section 18: N1/2,
NE1/4SE1/4

Section 19: NW1/4

IN TOWNSHIP 6 SOUTH, RANGE 2 WEST, B. M., OWYHEE COUNTY, IDAHO

Section 13: N1/2,
SW1/4,
W1/2SE1/4

Section 21: Lot 2 (SW1/4SE1/4)

Section 22: Lot 1 (SE1/4SE1/4), Lot 2 (SW1/4SE1/4), Lot 3 (SE1/4SW1/4),
S1/2NE1/4,
NE1/4SW1/4,
N1/2SE1/4

Section 27: ALL

Section 28: NE1/4,
W1/2SW1/4,
SE1/4SW1/4,
SE1/4

Section 29: S1/2

Section 32: N1/2,
SE1/4

Section 33: N1/2NE1/4,
N1/2NW1/4,
SW1/4NW1/4,
W1/2SW1/4

Section 34: N1/2,
SW1/4

IN TOWNSHIP 7 SOUTH, RANGE 2 WEST, B. M., OWYHEE COUNTY, IDAHO

Section 3: Lot 4,
SW1/4NW1/4,
W1/2SW1/4

Section 4: Lots 1, 2, 3, 4,
S1/2N1/2

Section 5: Lots 1, 2, 3, 4,
S1/2N1/2,
SW1/4,
W1/2SE1/4

Section 6: S1/2SE1/4,
NE1/4SE1/4

Section 7: NE1/4,
E1/2NW1/4

Section 8: NW1/4NE1/4,
N1/2NW1/4

Section 10: NW1/4NW1/4

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AUG 06 1998

TRACT II:

IN TOWNSHIP 4 SOUTH, RANGE 1 EAST, B.M., OWYHEE COUNTY IDAHO

Section 28: That part of the SW1/4NW1/4 lying South of the County Road, as now constructed.

WATER RIGHT

CURRENT OWNER NAME

PROPERTY

15

300

TOTAL

WATER USES

WATER SOURCE: ALDER CREEK

57-10627A COX, SHIRLEY
57-10627A COX, SHIRLEY
57-10627A COX, SHIRLEY
57-10627A COX, SHIRLEY

WATER SOURCE: BROWNS CREEK

57-00055	COX, SHIRLEY
57-00072	COX, SHIRLEY
57-00074	COX, SHIRLEY
57-00079	COX, SHIRLEY
57-00081	COX, SHIRLEY
57-10619	COX, SHIRLEY
57-10619	COX, SHIRLEY
57-10619	COX, SHIRLEY
57-10619	COX, SHIRLEY
57-10619	COX, SHIRLEY
57-10619	COX, SHIRLEY
57-10619	COX, SHIRLEY
57-10624	COX, SHIRLEY
57-10624	COX, SHIRLEY

WATER SOURCE: BUCKAROO CREEK

57-10619 COX, SHIRLEY
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57-106278 COX, SHIRLEY
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WATER SOURCE: CASTLE CREEK, NORTH FORK

57-00132 COX, SHIRLEY
57-00134 COX, SHIRLEY
57-02316 COX, SHIRLEY
57-10606 COX, SHIRLEY-
57-10608 COX, SHIRLEY
57-10608 COX, SHIRLEY
57-10608 COX, SHIRLEY
57-10608 COX, SHIRLEY

DATE	TIME	NAME	TYPE	AMOUNT	REMARKS
05/16/1923	J 06S 01W 19	SUSNNW	B	0.240 CFS	
05/16/1923	J 06S 01W 18	SNWSE	B	0.240 CFS	
05/16/1923	J 06S 01W 18	NUNENW	E	0.240 CFS	
05/16/1923	J 06S 01W 17	NESNSW	E	0.240 CFS	

REGISTRATION (01)	01.04	192.0	3.360 CFS	05S 01W 24	NEWNE	B
03/16/1885	192.0	0.900 CFS	05S 01W 24	NEWNE	B	
10/01/1901	192.0	1.870 CFS	05S 01W 24	NEWNE	B	
04/01/1904	192.0	1.840 CFS	05S 01W 24	NEWNE	B	
03/11/1908	192.0	0.810 CFS	05S 01W 24	NEWNE	B	
07/19/1908	192.0	0.240 CFS	05S 01W 24	NEWNE	B	
00/08/1915	04	0.240 CFS	06S 02W 10	NEWNE	B	
00/08/1915	04	0.240 CFS	05S 01W 31	NEWNE	B	
00/08/1915	04	0.240 CFS	06S 02W 12	SESE	B	
00/08/1915	04	0.240 CFS	05S 01W 33	NEWNE	B	
00/08/1915	04	0.240 CFS	06S 02W 11	SYSU	B	
00/08/1915	04	0.240 CFS	06S 02W 11	SYSU	B	
00/08/1915	04	0.240 CFS	05S 01W 36	NEWNE	B	
00/08/1915	04	0.240 CFS	05S 02W 36	NEWNE	B	
00/08/1915	04	0.240 CFS	05S 01W 1	NEWNE	B	
00/08/1915	04	0.240 CFS	05S 01W 27	SYSU	B	

0/08/1915	J	06S	02W	11	SUSWSE	B	0.240	CFS	04
0/08/1915	J	05S	02W	36	NEWNW	E	0.240	CFS	04
0/08/1915	J	05S	01W	33	NEWNE	E	0.240	CFS	04
0/08/1915	J	06S	02W	10	WNEW	B	0.240	CFS	04
0/08/1915	J	05S	01W	31	WNEW	E	0.240	CFS	04
0/08/1915	J	06S	02W	11	NEWW	B	0.240	CFS	04
0/08/1915	J	06S	02W	12	SESE	B	0.240	CFS	04
0/08/1915	J	05S	01W	36	NEWSE	E	0.240	CFS	04
0/08/1915	J	06S	01W	18	WNEW	E	0.240	CFS	04
0/08/1915	J	06S	02W	13	WNEW	E	0.240	CFS	04
0/08/1915	J	06S	02W	13	WNEW	B	0.240	CFS	04

D	07S	02W	3	SAWSW		19.0	01.04	
44/01/1901	D	07S	02W	3	SAWSW	0.300	CFS	
44/01/1902	D	07S	02W	3	SAWSW	0.800	CFS	
44/01/1902	L	06S	02W	34	NAWNU	10.000	CFS	← 02 = IRRIGATION STORAGE
5/5/31/1940	J	06S	02W	34	NAWNU	0.190	CFS	03 = STORAGE FROM IRRIG.
5/5/31/1940	J	06S	02W	10	SENNU	0.140	CFS	05 = DIVERTING TO STORAGE
5/16/1923	J	06S	02W	22	NAWNE	0.140	CFS	06 = STOCKWATER STORAGE
5/16/1923	J	06S	02W	28	NAWNE	0.140	CFS	06 = STOK FROM STORAGE

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WATER RIGHT NUMBER	CURRENT OWNER NAME	PRIORITY DATE	STQ	POINT OF DIVERSION	FLAG	TOTAL ACRES	WATER USES (04=STOCKWATER, 01=IRRIGATION, 43=DOMESTIC)
57-10608	COX, SHIRLEY	05/16/1923	J	06S 02W 29 SWNEH	E	0.140 CFS	04
57-10608	COX, SHIRLEY	05/16/1923	J	06S 02W 22 NESH		0.140 CFS	04
57-10616	COX, SHIRLEY	05/16/1923	J	06S 02W 22 SESW		0.140 CFS	04
57-10616	COX, SHIRLEY	05/01/1930	J	06S 02W 15 SWNESE	B	0.190 CFS	04
57-10616	COX, SHIRLEY	05/01/1930	J	06S 02W 34 NWNESE		0.190 CFS	04
57-10616	COX, SHIRLEY	05/01/1930	J	06S 02W 9 SWSESE	E	0.190 CFS	04
57-10616	COX, SHIRLEY	05/01/1930	J	06S 02W 23 SWNW		0.190 CFS	04
57-10616	COX, SHIRLEY	05/01/1930	J	06S 02W 35 SWNEH	B	0.190 CFS	04
57-10616	COX, SHIRLEY	05/01/1930	J	06S 02W 9 NWNW	E	0.190 CFS	04
57-10616	COX, SHIRLEY	05/01/1930	J	06S 02W 22 SWNEH		0.190 CFS	04

WATER SOURCE: CAT CREEK

57-10619 COX, SHIRLEY
57-10619 COX, SHIRLEY
57-10619 COX, SHIRLEY
57-10619 COX, SHIRLEY
57-10619 COX, SHIRLEY
57-10619 COX, SHIRLEY
57-10619 COX, SHIRLEY

WATER SOURCE: CATHERINE CREEK

57-00040 COX, SHIRLEY
57-00049 COX, SHIRLEY
57-00050 " "

WATER SOURCE: GILMORE CREEK

57-10608 COX, SHIRLEY
57-10608 COX, SHIRLEY
57-10608 COX, SHIRLEY
57-10608 COX, SHIRLEY
57-10608 COX, SHIRLEY

WATER SOURCE: GROUNDWATER

57-02235 COX, SHIRLEY
57-02235 COX, SHIRLEY
57-02235 COX, SHIRLEY
57-10641 COX, SHIRLEY
57-10642 COX, SHIRLEY
57-10643 COX, SHIRLEY
57-10644 COX, SHIRLEY

MICROFILMED

AUG 06 1998

COO-5816
AJ5816NP
SELECTION FILE: JSHURTE-1052503

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION SOURCE SUMMARY REPORT
BY WATER SOURCE/WATER RIGHT NUMBER

DATE: 09/05/96
TIME: 12:35:52
PAGE: 3

WATER RIGHT NUMBER	CURRENT OWNER NAME
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11-24-11

WATER SOURCE: HART CREEK

57-000568	COX, SHIRLEY
57-00059	COX, SHIRLEY
57-00075	COX, SHIRLEY
57-10625	COX, SHIRLEY
57-10625	COX, SHIRLEY
57-10631	COX, SHIRLEY
57-10631	COX, SHIRLEY
57-10631	COX, SHIRLEY
57-10631	COX, SHIRLEY
57-10631	COX, SHIRLEY

NOT AN OFFICIAL LEGAL

WATER SOURCE: LITTLE CAT CREEK

[illegible]

WATER SOURCE: LITTLE HART CREEK

57-10631 COX, SHIRLEY
57-10631 COX, SHIRLEY
57-10631 COX, SHIRLEY
57-10631 COX, SHIRLEY
57-10631 COX, SHIRLEY

WATER SOURCE: SPRING

57-10558 COX, SHIRLEY ~~WILSON~~
57-10605 COX, SHIRLEY NOT IN DECEMBER 1964
57-106278 COX, SHIRLEY
57-106278 COX, SHIRLEY
57-106278 COX, SHIRLEY

WATER SOURCE: SPRINGS

57-10616 COX, SHIRLEY } NOT ON DECEDED
57-10616 COX, SHIRLEY } RECORD
57-10616 COX, SHIRLEY }
57-10616 COX, SHIRLEY }

KKL 6572

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AUG 06 1998

00-5816

AJ5816NP

SELECTION FILE: JSHURTE-1052503

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION SOURCE SUMMARY REPORT
BY WATER SOURCE/WATER RIGHT NUMBER

DATE: 09/05/96
TIME: 12:36:09
PAGE: 4

WATER RIGHT NUMBER	CURRENT OWNER NAME	PRIORITY DATE	STG	POINT OF DIVERSION	POD FLAG	TOTAL ACRES	TOTAL ACRES	WATER USES
57-10616	COX, SHIRLEY	05/01/1930	J	06S 02W 35 SENE		0.190 CFS	04	04
57-10616	COX, SHIRLEY	05/01/1930	J	06S 02W 15 SENE	B	0.190 CFS	04	04
57-10616	COX, SHIRLEY	05/01/1930	J	06S 02W 9 SENE	B	0.190 CFS	04	04
57-10620	COX, SHIRLEY	05/01/1930	J	06S 02W 34 SENE		0.190 CFS	04	04
57-10620	COX, SHIRLEY	10/08/1915	J	06S 02W 12 SENE		0.240 CFS	04	04
WATER SOURCE: UNNAHED STREAM								
57-10608	COX, SHIRLEY	05/16/1923	J	06S 02W 22 SENE		0.140 CFS	04	04
57-10608	COX, SHIRLEY	05/16/1923	J	06S 02W 22 SENE	B	0.140 CFS	04	04
57-10608	COX, SHIRLEY	05/16/1923	J	06S 02W 22 SENE		0.140 CFS	04	04
57-10608	COX, SHIRLEY	05/16/1923	J	06S 02W 29 SENE	E	0.140 CFS	04	04
57-10608	COX, SHIRLEY	05/16/1923	J	06S 02W 28 SENE	B	0.140 CFS	04	04
57-10608	COX, SHIRLEY	05/16/1923	J	07S 02W 10 SENE	E	0.140 CFS	04	04

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AUG 06 1998

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-00040
Date Received: 1/19/1989
Receipt No: C005210
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: SHIRLEY COX
Address: HC 79, BOX 2065
OREANA, ID 83650
208-834-2028

2. Date of Priority: OCT 01, 1869

3. Source: CATHERINE CREEK Trib. to: CASTLE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	01E	28	NE	NW	SW		OWYHEE
		29	SE	SE	SW		OWYHEE
		30	NW	NW	SW	3	OWYHEE

5. Description of diverting works:
DAMS AND HEADGATES INTO GRAVITY DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/15	8.040		
STOCKWATER	01/01	12/31	0.240		

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

8. Total consumptive use is 924.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 1000 HEAD CATTLE

A57-00040

Page 1

Date: 01/25/89

MICROFILMED

AUG 06 1998

MICROFILMED

OCT 07 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
04S	01E	27	NE	SW		IRR	11.0	
			NW	SW		IRR	20.0	
			SW	SW		IRR	17.0	
			SE	SW		IRR	3.0	
			NW	SE		IRR	4.0	
			Section Acres					55.0
		28	SE	NW		IRR	2.0	
			NE	SW		IRR	34.0	
			NW	SW		IRR	18.0	
			SW	SW		IRR	3.0	
			SE	SW		IRR	3.0	
			NE	SE		IRR	8.0	
			NW	SE		IRR	17.0	
			SW	SE		IRR	17.0	
			SE	SE		IRR	17.0	
			Section Acres					119.0
		29	SW	SW		IRR	3.0	
			SE	SW		IRR	4.0	
			NE	SE		IRR	18.0	
			NW	SE		IRR	1.0	
			SW	SE		IRR	11.0	
			SE	SE		IRR	18.0	
			Section Acres					55.0
		31	NE	NE		IRR	6.0	
			Section Acres					6.0
		32	NE	NW		IRR	3.0	
			NW	NW		IRR	26.0	
			Section Acres					29.0
			Total Acres					264.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

57-00049/00050/00054/00055/00056/00081/02235/10558

A57-00040

Page 2

Date: 01/25/89

MICROFILMED

MICROFILMED

AUG 06 1998

OCT 07 1992

14. Remarks:

THIS CLAIM IS BASED ON COMBINING WATER RIGHTS 57-00040A AND 57-00040B.

THE PLACE OF USE FOR THE STOCKWATER IS THE SAME AS THE IRRIGATED LAND. STOCK DRINK FROM CATHERINE CREEK AND THE DITCHES.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

J. M. NEIL

Decree Plaintiff

vs

MICHAEL HYDE ET. AL.

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Shirley Cox

Date: 1/25/89

Date: _____

State of Idaho)

County of Ada)

SS.

Subscribed and sworn (or affirmed) before me this 25th day

of January 19 89

Seal

Carter Fritschke
Notary Public

Residing at _____

My Commission Expires _____

Carter Fritschke, Notary Public

Residing at _____

My Commission Expires March 21, 1994

A57-00040

Page

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Date: 01/25/89

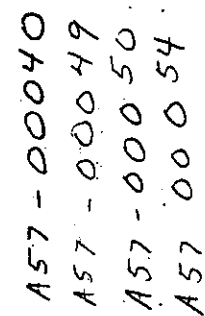
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OCT 07 1992

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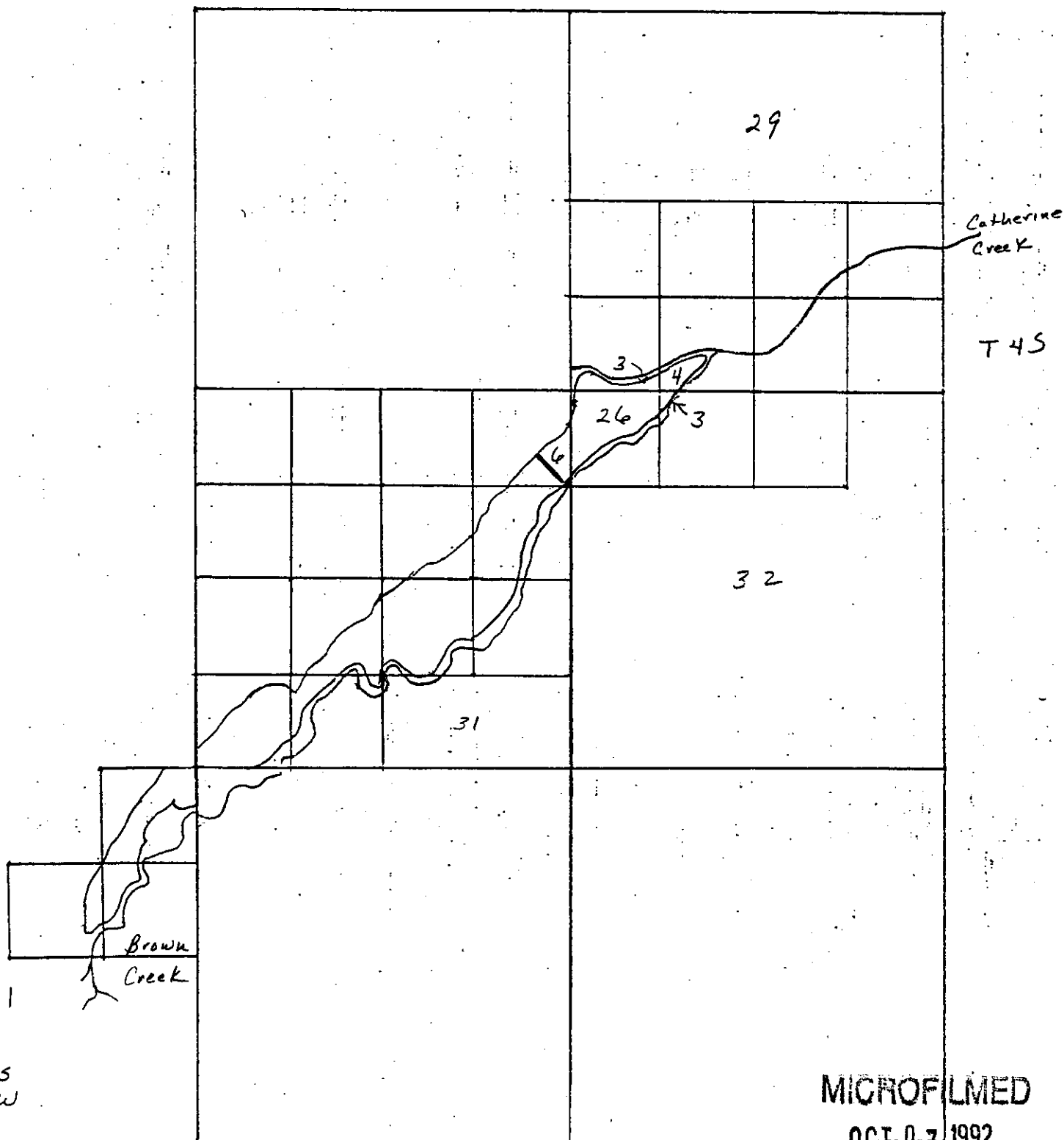
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AUG 06 1998

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OCT 07 1992

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-00040
Date Received: 1/18/1989
Receipt No: C005210
Received By: CA 1-19-89

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SHIRLEY COX
Address: HC 79, BOX 2065
OREANA, ID

208-834-2028

83650

2. Date of Priority: OCT 01, 1869

3. Source: CATHERINE CREEK

Trib. to: CASTLE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	01E	28	NE	NW	SW		OWYHEE
		29	SE	SE	SW		OWYHEE
		30	NW	NW	SW	3	OWYHEE

5. Description of diverting works:
DAMS AND HEADGATES INTO GRAVITY DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/15	8.040		

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

A.F.A.

8. Total consumptive use is 924.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04S	01E	27	NE	SW		IRR	11.0
			NW	SW		IRR	20.0

A57-00040

Page 1

Date: 01/19/89

MICROFILMED
OCT 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	01E	27	SW	SW		IRR	17.0
			SE	SW		IRR	3.0
			NW	SE		IRR	4.0
						Section Acres	55.0
		28	SE	NW		IRR	2.0
	NE		SW		IRR	34.0	
	NW		SW		IRR	18.0	
	SW		SW		IRR	3.0	
	SE		SW		IRR	3.0	
	NE		SE		IRR	8.0	
	NW		SE		IRR	17.0	
	SW		SE		IRR	17.0	
	SE		SE		IRR	17.0	
						Section Acres	119.0
		29	SW	SW		IRR	3.0
	SE		SW		IRR	4.0	
	NE		SE		IRR	18.0	
	NW		SE		IRR	1.0	
	SW		SE		IRR	11.0	
	SE		SE		IRR	18.0	
						Section Acres	55.0
		31	NE	NE		IRR	6.0
						Section Acres	6.0
		32	NE	NW		IRR	3.0
			NW	NW		IRR	26.0
						Section Acres	29.0
						Total Acres	264.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

57-00049/00050/00054/00055/00056/00081/02235/10558

14. Remarks:

THIS CLAIM IS BASED ON COMBINING WATER RIGHTS 57-00040A AND
A57-00040 Page 2 Date: 01/19/89

MICROFILMED

OCT 07 1992

14. Remarks: Continued
57-00040B.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

J. M. NEIL

Decree Plaintiff

vs

MICHAEL HYDE ET. AL.

Decree Defendant

16. Signature(s)

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

Number of attachments: -3-

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Shirley Cox Date: Jan. 19, 1989
Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of January 19 89

Seal

Dena Billups
Notary Public

Residing at Dena Billups, Notary Public
Residing at Caldwell, Idaho
My Commission Expires March 21, 1994

THIS RIGHT HAS BEEN SUPERCEDED BY A DECREE

CASE NAME 39576 SRBA

DECREE DATE 9-12-97

SEE DECREE FILE NO. _____

ALL ACTIONS TAKEN BEYOND THIS POINT HAVE BEEN BASED ON THE
DECREED VERSION OF THIS RIGHT & MAY MODIFY THE DECREED RIGHT.

~~Copy~~ mailed to the watermaster of
Water District 14-B on May 2, 1929

57-0040

to whom it may concern.

This is to certify that on this 27th Day of April, 1929
an agreement is made between Cora Maude Hunt and Homer Allen
and Victor B Allen co-partners in what is known as
the Cook dam and ditches, whereby by mutual consent of
Homer Allen and Victor B. Allen, Cora Maude Hunt is
allowed to move to a new point of diversion above the
present one and still in the SW 1/4 Sec 29 Twp 4 S
Range 1 East.

Cora Maude Hunt hereby releases and forfeits all claims
originally claimed in the above point of diversion, dam
and ditches.

Permission to the above move is hereby given by the
undersigned Homer Allen and Victor B. Allen.

The consideration of the above is for Homer Allen and
Victor B. Allen to have and to hold full ownership and
control over the above Cook dam and ditches and point
of diversion, originally owned in co-partnership.

Cora Maude Hunt
Homer Allen
Victor B. Allen

State of Idaho.)
County of Cwyhee.)

On this 27th day of April in the year 1929, before me

LYNN BACHMAN a Notary Public in and for said State,

personally appeared Cora Maude Hunt and Homer Allen

and Victor B Allen known to me to be the persons whose

names are subscribed to the above instrument and

acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed

my official seal, the day and year in this certificate

first written above.

Lynn Bachman
Notary Public
Creana Idaho

Affidavit for Change of Point of Diversion of Decreed Water Right

STATE OF IDAHO,

County of Cyhee } ss.

Cora Maude Hunt, being first duly sworn, deposes and says: That his postoffice address is Cresna, Idaho; That he is the owner of and using

a certain water right, bearing date of priority of Oct 1-1869, 1928, for 2.88

cubic feet per second of the waters of Catherine Creek below Browne Creek

County of Cyhee, State of Idaho, decreed to J. M. Neil,

by decree of Judge C. P. Mc Carthy, of the 3rd Judicial District of

the State of Idaho, in and for the County of Ada, in the case of J. M. Neil et al

vs. Michael Hyde et al said decree bearing date of

Oct 1-1869, for the purpose of irrigating the following described lands, situate, lying

and being in Water Dist. No. 14-B, in the County of Cyhee, and State of Idaho,

to-wit: S. E. 1/4 of S. E. 1/4 of Sec 29 R. 4 S. 1 E

That he is the person (or representative of the corporation) to whom such right was issued, (or has become the owner thereof in the following manner: Purchase

That said waters are now diverted from said stream in the S. W. 1/4 S. E. 1/4 of Sec 29, Twp. 4-S, Range 1-E, and conducted to the above described lands through the Cook ditch ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said water from the point above described to a point located in S. W. 1/4 of S. E. 1/4, Sec. 29, Twp. 4-S, Range 1-E, and thereafter conduct same to the above described land through the Hunt ditch, as per map above referred to:

That his reasons for desiring to make such change are as follows: Sole ownership
More convenient place of diversion
to water above described land

That no one will be injured by such change and that such change will be made at affiant's own risk.

Cora Maude Hunt
Affiant.

Subscribed and sworn to before me this 27 day of April, 1929.

Lynn Bachman
Notary Public
Cresna Idaho.

NOTE:—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.



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

July 28, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LINDA K FERRIS
ROBERT A THOMAS
KELLY A THOMAS
BEN A THOMAS
HC 79 BOX 2060
MURPHY ID 83650

RE: Water Rights 57-00040/57-02235 (Transfer 5182)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water rights (Transfer 5182). 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.

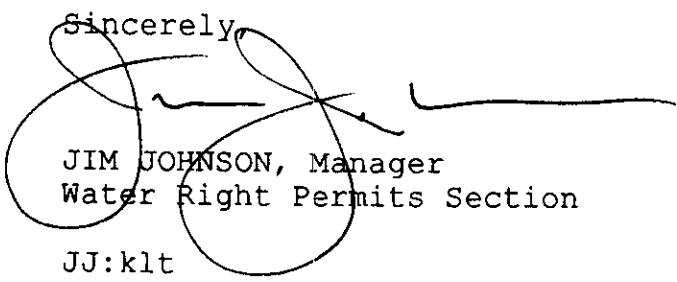
As of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

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

MICROFILMED

AUG 06 1998

JJ:klt
Enclosures

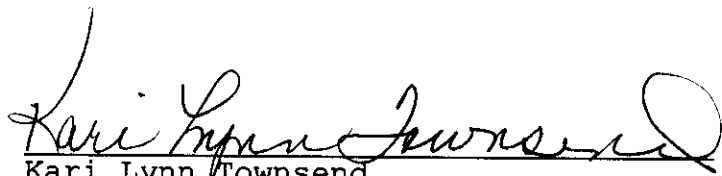
SCANNED
OCT 22 2004

CERTIFICATE OF MAILING

I hereby certify that on the **28th** day of **July, 1998**, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHTS 57-00040/57-02235 (Transfer 5182)

**LINDA K FERRIS
ROBERT A THOMAS
KELLY A THOMAS
BEN A THOMAS
HC 79 BOX 2060
MURPHY ID 83650**


Kari Lynn Townsend
Secretary

MICROFILMED

AUG 06 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

July 28, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MERV ROBINSON
WATERMASTER
PICKETT RANCH
OREANA ID 83650

RE: TRANSFER OF WATER RIGHTS 57-00040/57-02235 (Transfer 5182)

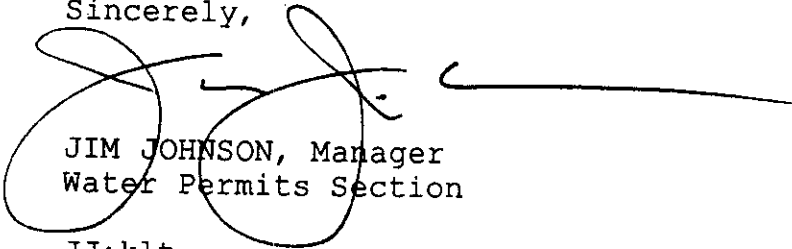
Dear Merv:

Enclosed is a copy of the recently approved Transfer of Water Right for the above referenced water rights (Transfer 5182) in the name of Linda K. Ferris, Robert A. Thomas, Kelly A. Thomas and Ben A. Thomas.

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

AUG 06 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.

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AUG 06 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.

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AUG 06 1998

MEMORANDUM

TO: Files 57-00040 & 57-02235

FROM: Pam Skaggs/^gState Office

SUBJECT: Transfer 5182

DATE: July 23, 1998

Transfer 5182 adds a point of diversion under Right 57-00040 and a point of rediversion under Right 57-02235.

The applicant diverts surface water from Catherine Creek under Right 57-00040 and under Right 57-02235 injects groundwater into Catherine Creek and rediverts it at the same diversion points under 57-00040. These rights were recently decreed in the SRBA and have a limiting overlapping acre and rate condition with Right 57-10558 which is a right from springs and not part of the creek diversion system. ✓

Recommended conditions include watermaster control, irrigation overlap, combined right limits, multiple points of diversion, measuring devices, pertinent decree conditions and standard transfer conditions. ✓

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AUG 06 1998

TRANSFER REVIEW SHEET

(07-98)

Transfer # 5182

Date Reviewed 07-21-98

Right(s) 57-00040 } Deeded in SRBA
57-02235 }

☒ WRQ/Split Summary ☒ SRBA Status NA Run POU Comparison Report

B:Change P/D ☒ 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 SRBA Deedee / Leinholders approval of transfer
Letter dated 3-13-98

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) ☒ Season (4) ☒ Rate (5) ☐ Volume

(6) ☒ Source (7) ☐ P/D (8) ☒ P/U (9) ☒ Proof/Owner ^{NA - P/D add only} (10) ☒ Map

(11) 57B Water District (12) Yes Pertinent Conditions (13) NO Expansion
Deedee con/remarks w/limits

(5) Standard Vol = 4.5 per acre + 12 gpd for 1000 stock (57-00040)
 $4.5 \times 196 = 882.0 \text{ gpd}$ $12 \text{ gpd} \times 1000 \times 365 \text{ days} = 13.4 \text{ mld}$

(7) Add P/D to 57-00040 + PR to 57-02235

Deedee Conditions Carried as pertinent
 Transfer Remarks W35(W34) Modified T17 to include PI + PR -
 Conditions R04, R61, T07, T08 (W11)

Database/Processing Notes Standard ☐ Non-Standard ☒

Copy to an "X" prefix on WR database - Comment to Blank Rts. ☒
 Delete T5 ☒

"T" Files Update Complete ☒ Approval Form ☒ Transfer Memo ☒

Database Updated Following Approval ☒ Memo/Form Files Deleted ☒

7-24-98 28

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

RECEIVED
APR 23 1998
Department of Water Resources

APPLICANT Linda Fenir &/or
Robert, Kelly, Ben Thomas

TRANSFER NO. 5182

INITIAL ALLOCATION REVIEW BY SL
SRBA SUPERVISOR REVIEW BY N/A

DATE 12/10/97
DATE

1. Right number(s) 57-00040 57-02235

Rights are new partial decrees from SRBA so transfer is "post-SRBA" action.

2. Type of right ☒ Decree ☐ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer ☐ Change P/D ☒ Add P/D ☐ Change P/U
☐ Change N/U ☐ Change Source ☐ Split Right
☐ Other:

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 = 12/10/97 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. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use *no change*
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee *not needed*
- g. ☒ Proof of ownership of right &/or land from which water is transferred
- h. ☒ Expansion in use of right - Comments:

NONE APPARENT.

WATERMETER control to regulate

CREEK diversion which includes well injection/redirection & creek p/d's.

NOTE: no known measuring device on this creek.

Also see Apps 57-07637 (same well) & 57-07638 (different well) now being processed for same owners. - SL 3/23/98

T5182

i. ☒

Existing rights from same source, on land water is being transferred to; right number(s): N/A -

no other rights involved, see review memo

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)

N/A now - these were recently decreed in SRBA

k. ☒

Comment letters

If yes

☒

Yes

No

☒

Water District # 57B

Other, see #2 below for name and address

PUBLICATION REVIEW

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

2. COMMENT LETTERS

Watermaster recommendation requested on 12/12/97, Received on 12/30/97

Other comments letters:

☐ See attached information

3. Transfer published correctly?

☒ Yes ☐ No

4. Affidavit of publication received?

☒ Yes ☐ No

5. Protests received? ☐ Yes ☒ No;

Acknowledgement sent? ☐ Yes

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) (Same conditions as contained in decreed rights) R04 (57B, Catherine Creek)

4. By Gary S

Date 4/21/98

FILE FORWARDING

1. Copies made for Region file (see attached supplemental page)? ☐ Yes

2. File forwarded to S.O.: by _____ date _____

APPL
57-07637 same
well, other area

REC'vd - discussed on 3/17 c. Bob Thomas' office visit ;
agreed that fax letter is acceptable.

-R 3/19/98

March 13, 1998

State of Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

RE: WATER RIGHT FILINGS PENDING AT IDWR

To Whom It May Concern:

The below signed lienholders authorize the change in the point of diversion Mr. Robert

Thomas has requested in Transfer #5182.

Sincerely,

Shirley Murdoch

Shirley Murdoch

Dennis Murdoch

D. Murdoch

MICROFILMED

AUG 06 1998

Attachment A

MEMORANDUM

TO: FILE

FROM: STEVE LESTER

DATE: DECEMBER 10, 1997

RE: TRANSFER APPLICATION FOR 57-00040 & 57-02235

This is a simple transfer to add a new downstream creek diversion point to 57-00040. The new point will also serve as an additional re-diversion point for ground water (57-02235) now injected into, and withdrawn from, the stream at a point upstream at the existing creek P/D. *

These rights were recently decreed in the SRBA, but this is not yet reflected in the water right database. Ownership, verification and SRBA supervisor review items are therefore moot. However, regional SRBA supervisor is aware of the transfer. Note that comments from an unidentified contract holder (application page 2, item 6b) are pending. *

Due to the recent partial decrees, overlap information is simplified. The only other irrigation right within the combined 237 acre P/U is recently decreed right 57-10558 that covers some of the acres in the rights being transferred (see pou comparison and profile reports in file). That right covers a spring that is not injected into, nor withdrawn from, the creek. Right 57-10558 does not need to be included in the transfer.

Current limitations on the combined rights, which include 57-10558, must remain unchanged. These include limits of 8.86 cfs and 237 acres per irrigation season.

Note that Catherine Creek Water District 57-B, like many smaller districts, does not have any known measuring devices in place. Both rights should be subject to water master control even though lockable and measurable diversion works are not available at this time. A comment letter is being sent to the water master. *

The reviewer added notes to the bottom of page 1 and the top of page 5 to clarify but not change the application information. These notes do not require the applicants' approval since the information does not change the filing.

The legal notice mentioned that the rights were recently decreed in the SRBA.

RECOMMENDATIONS

MICROFILMED

AUG 06 1998

1. The transfer appears approvable.
2. Water master control should be added to the rights.
3. The application should not be forwarded to the S.O. until comments are received from the contract holder and the water master. {ok ✓}

* Lic. holder's ok rec'd 3/19/98 (attachment A).

Water master's comments rec'd 12/30/97.

Well 57-02235 also filed on for new decs ID 57-07637. New permit app. now being processed & includes same creek conveyance concept.

3/23/98
update
-SL

Steve [Signature]

11 MAR '98

- Bob THOMAS called at 4:35 AND wanted to talk to you about transfer 5182.
- HE SAID THAT SHIRLEY OR DENNIS MURDOCK needed to sign a form^{COX} or something before the transfer could happen.
- This is IN ref to Co-mingls water from GW & CATHERN CR. to ADD AN ALT. P/D.
- IF possible call ~~me~~ IN MORNING AT: 834-2638 AND his wife KELLY could come IN AND Pick up the form or FAX it to SAME # So they could turn on PC.

RON

57-00040
57-02235

P.S.

12 MAR 98

- I Looked at and talked to Bob, it appears that he needs the NOTARIZED CONSENT FROM COX/MURDOCK. Told him that.
- Bob would still like to talk to you about some other matters & SET-UP APPOINTMENT

(MICROFILM)

APR 06 1998
[Signature]



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

February 25, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ROBERT THOMAS ET AL
HC 79 BOX 2060
MURPHY ID 83650

RE: WATER RIGHT FILINGS PENDING AT IDWR

Dear Mr. Thomas:

This letter regards several water right filings pending at the Western Region office. Each filing is addressed separately as noted below.

TRANSFER #5182

The transfer involves adding a new diversion point to Catherine Creek right #57-00040. The new point will also serve as a new re-diversion point for well water injected into the creek via right #57-02235, which concerns a geothermal well.

OK
3/19/98
The transfer file indicates that you are going to provide authorization for the change from the lienholder of the land described by the rights. The authorization is needed before processing can resume. Enclosed for your convenience is a copy of the first page of the transfer application plus printouts for the two rights recently decreed in the adjudication process.

APPLICATION FOR PERMIT #57-07637

This application lists the same well identified in #57-02235 but for different acres. Two pieces of information are needed for this filing.

1. The application includes land on both sides of Catherine and/or Brown Creek. Will the additional use of the well include injection of well water into the creek(s) and re-diversion of that water from the creek(s) as described by the current use of right #57-02235? If so, the injection and re-diversion points should be included in the application.

2. I.C. § 42-233 requires that geothermal ground water must first be used for heat value in a new appropriation before being used for irrigation or other non-heat value uses. It does not appear that heat value from this well is being utilized according to current water right and/or adjudication claim records. Please provide a response to the requirement of this statute.

MICROFILMED

AUG 06 1998

Robert Thomas Et Al
February 25, 1998
Page 2

APPLICATION FOR PERMIT #57-07638

This filing involves additional irrigation from the well listed in license #57-07267. The application states that the license incorrectly locates the well, and the application includes a well site in NWSW and/or SWSW Section 31. Now is the time to correctly locate this well. Please use the enclosed map to locate the well. Include a justification for the location (distance from 90 degree road corner?).

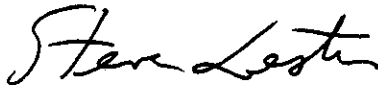
If the well is actually in NWSW Section 31, a transfer application will be needed to correct license #57-07267 while application #57-07638 is corrected and then processed.

APPLICATION FOR PERMIT #57-07639

The last application includes additional acres from the spring noted in recently decreed right #57-10558. This application can be processed without delay.

Please provide the necessary information for transfer #5182 and applications #57-07637 and #57-07638 at your earliest convenience to allow processing of these three filings to proceed. Please let me know if you need any help in this process. Application #57-07639 will move ahead in the meantime. This letter is copied to Sharon Hart Strickland at Rosholt Robertson & Tucker per her request of March 14, 1997.

Sincerely,



Steve Lester
Water Rights Supervisor

Enclosures

c: Sharon Hart Strickland

MICROFILMED
AUG 06 1998

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 5182

RECOMMENDATION OF WATERMASTER

I, Merv. Robinson, watermaster of Catherine Creek,
of Water District No. 15-B, County of Quincy, State of Idaho,
whose address is Pickett Ranch, Coeur d'Alene, Idaho 83650
have read the attached copy of the application for transfer of water right for Linde Fenn
Bob, Kelly and Ben Thomas, 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: They follow the directions as
outlined by the Department of Water
Resources.

OR

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

Dated at Coeur d'Alene, Idaho, this 27th day of December 19 77.

Merv. Robinson
(signature)

Please use reverse side if needed.

MICROFILMED

AUG 06 1998

RECEIVED

DEC 30 1997

WATER RESOURCES
ESTABLISHED ON

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

[illegible]

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 17 and 24, 1997

Signed W. H. C. [Signature]

Subscribed and sworn to me this 24th 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

MICROLINE
AUG 06 1998

Further, the fact that the
Rough Riders' Medal of Honor
was bestowed on a man in
1960, Murphy III, 1961, is
applied to the Department of
War's historical records. The
printed name of the recipient is
J.C. Murphy, Jr., 1961, 1962.

[illegible][illegible]

Ad 1. The 1970-71 season is virtually past in western Canada, with only about \$3.50 million worth of the other important grain from the creek has passed reported listed as December 1st.

Any further information of the progress of the wheat for the 1970-71 season with the Department of Water Resources, Western Region, 2738 Avenue Road, Boise, ID 83706, 202-273-1100, together with a printed list of 600 names of water users in 1969-70, is available. Please send a copy of the report to the agency.

12/17/71



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 12, 1997

**MERV ROBINSON
PICKETT RANCH
OREANA ID 83650**

**Re: Application for Transfer of Water Right Nos. 57-00040 and 57-02235 in the Name of
Linda Ferris &/or Robert &/or Kelly &/or Ben Thomas**

Dear Merv:

Enclosed is a copy of the above-referenced application for transfer. Also enclosed is a form for your recommendation concerning this application. Please review the application and return any comments you might have within two weeks.

If you have any questions or need information, feel free to contact this office.

Sincerely,

Gary Spackman

GS:st

Encl: Copy of Application
Recommendation of Watermaster Form

MICRO
AUG 06 1998

(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	NE	NW	SW	SE	NE	NW	SW	SE	
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
*5700040	T04S R01E S27 CATHERINE CREEK									03	18	14	01					36
*5700040																		
A5700040	CATHERINE									11	20	17	03		04			55
A5700049	CATHERINE									11	20	17	03		04			55
A5700050	CATHERINE									11	20	17	03		04			55
A5700054	CATHERINE									11	20	17	03		04			55
5700091	CASTLE CRE																1	
5700099	CASTLE CRE																1	
A5700099	CASTLE CRE																1	
5700109	CASTLE CRE																1	
A5700109	CASTLE CRE																1	
5700118	CASTLE CRE																1	
A5700118	CASTLE CRE																1	
5700122	CASTLE CRE																1	
A5700122	CASTLE CRE																1	
5700128	CASTLE CRE																1	
A5700128	CASTLE CRE																1	
5700136	CASTLE CRE																1	
A5700136	CASTLE CRE																1	
5700152	CASTLE CRE																1	
A5700152	CASTLE CRE																1	
5700163	CASTLE CRE																1	
A5700163	CASTLE CRE																1	
5702235	GROUNDWATE														12	28		40
*5702235	GROUNDWATE									03	18	14	01					36
A5702235	GROUNDWATE									11	20	17	03		04			55
*5710558	SPRING									03	18	14	01					36
A5710558	SPRING									11	20	17	03		04			55

*5700040	T04S R01E S28 CATHERINE CREEK									01	34	16	05	03	07	05	17	18	106
*5700040																			
A5700040	CATHERINE									02	34	18	03	03	08	17	17	17	119
5700040B	CATHERINE									1	1	1	1	1					
A5700049	CATHERINE									02	34	18	03	03	08	17	17	17	119
5700050	CATHERINE													1	1	1			
*5700050	CATHERINE															13			13
A5700050	CATHERINE									02	34	18	03	03	08	17	17	17	119
5700054	CATHERINE								1	1									
A5700054	CATHERINE									02	34	18	03	03	08	17	17	17	119
5702235	GROUNDWATE										40	38			32	38	13	17	178
*5702235	GROUNDWATE								03	01	34	29	05	03	07	05	17	18	122
A5702235	GROUNDWATE									02	34	27	03	03	08	17	17	17	128
5707639	SPRING														24	17			41
5707640	GROUNDWATE								30										30
*5710558	SPRING										01			03	07	03	17	18	49

- 12/10/97

OVERLAP INFO

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

DATE: 12/10/97
PAGE: 2

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '**' 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	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
A5710558	SPRING	:		:		:		:		:		:		:		:	08	03	16	17	:	44

*5700040	T04S R01E S29 CATHERINE CREEK	:		:		:		:		:		:		:		:	12	01	13	28	:	54
*5700040	:	:		:		:		:		:		:		:		:					:	
A5700040	CATHERINE	:		:		:		:		:		:	03	04	:		18	01	11	18	:	55
5700040A	CATHERINE	:		:		:		:		:		:			:					I	:	
5700040B	CATHERINE	:		:		:		:		:		:			:		I			I	:	
5700049	CATHERINE	:		:		:		:		:		:	I	I	:						:	
*5700049	CATHERINE	:		:		:		:		:		:	06	03	:						:	9
A5700049	CATHERINE	:		:		:		:		:		:	03	04	:		18	01	11	18	:	55
A5700050	CATHERINE	:		:		:		:		:		:	03	04	:		18	01	11	18	:	55
A5700054	CATHERINE	:		:		:		:		:		:	03	04	:		18	01	11	18	:	55
*5700055	BROWNS CRE	:		:		:		:		:		:	06	03	:						:	9
A5700055	BROWNS CRE	:		:		:		:		:		:	03	04	:						:	7
*5700056B	HART CREEK	:		:		:		:		:		:	06	03	:						:	9
A5700056B	HART CREEK	:		:		:		:		:		:	03	04	:						:	7
5700069	CATHERINE	:		:		:		:		:		:			:				I		:	
5700070	CATHERINE	:		:		:		:		:		:	I	I	:			I	I		:	
*5700072	BROWNS CRE	:		:		:		:		:		:	06	03	:						:	9
A5700072	BROWNS CRE	:		:		:		:		:		:	03	04	:						:	7
*5700074	BROWNS CRE	:		:		:		:		:		:	06	03	:						:	9
A5700074	BROWNS CRE	:		:		:		:		:		:	03	04	:						:	7
*5700079	BROWNS CRE	:		:		:		:		:		:	06	03	:						:	9
A5700079	BROWNS CRE	:		:		:		:		:		:	03	04	:						:	7
*5700081	BROWNS CRE	:		:		:		:		:		:	06	03	:						:	9
A5700081	BROWNS CRE	:		:		:		:		:		:	03	04	:						:	7
5702235	GROUNDWATE	:		:		:		:		:		:			:		25	09	38	34	:	106
*5702235	GROUNDWATE	:		:		:		:		:		:			:		29	09	13	28	:	79
A5702235	GROUNDWATE	:		:		:		:		:		:			:		36	10	11	18	:	75
5707267	GROUNDWATE	:		:		:		:		:		:	16	05	:						:	21
5707637	GROUNDWATE	:		:		:		:		:		:	38	40	15	13	:	29	22		:	157

NON-highlighted overlap ARE:

- 1) Water Right Records prior to new decrees, e.g. 57-00040B
- 2) SRBA claims " " " " , e.g. A57-00040
- 3) WR or RJ Records from different sources but not part of injection/redirection & Catherine Ck. , e.g. A57-10558 & *57-10558.

So only Rights needed in transfer are the 2 recently decreed. Transfer appl. is ok & overlap.

-JL

AJ5809NP
No. 57-10558

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/10/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT A THOMAS	10/08/1915	IRRIGATION	03-15 11-15	1.30 CFS	
C	KELLY A THOMAS		STOCKWATER	01-01 12-31	0.07 CFS	
C	BEN A THOMAS JR					
C	LINDA K FERRIS					
	HC 79 BOX 2060			TOTAL DIVERSION:	1.37 CFS	
	MURPHY ID 83650					
D	SHIRLEY COX					
	HC 79 BOX 2065					
	OREANA ID 83650					
	(208) 834-2028					

Water Source: SPRING

Tributary to: SINKS

Stage: DECREED

Point(s) of Diversion: T04S R01E S28 SENWSW

OWYHEE County

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	Lt	Ac	SUM
04S	01E	27	:									03	18	14	01					36.0
04S	01E	28	:									01			03	07	03	17	18	49.0
																			TOTAL ACRES	85.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: OWYHEE

Other Rights: 57-00040, 57-02235

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A57-10558

Other Water Rights Listing Overlapping Place(s) of Use:

57-00040 57-00040B 57-00050 57-00054 57-02235 A57-00040 A57-00040B A57-00049 A57-00050 A57-00054
A57-02235 A57-10558

Conditions of Approval:

- N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.
- N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NOS. 57-00040 & 57-02235 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.86 CFS.

POU1 USE OF THIS RIGHT WITH RIGHT NOS. 57-00040 & 57-02235 IS

*this right not
injected/rediverted e
cattle cohering to
system but serves
some of some land
as 2 wa's in
transfer*

-52

AJ5809NP
No. 57-10558

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/10/97
PAGE: 2

=====

Remarks: LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 237 ACRES IN A
SINGLE IRRIGATION SEASON.

EXP STOCKWATER, 250 RANGE CATTLE.

Dates: Exam Made Date: Verified Date: 04/16/1997 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:



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 10, 1997

OWYHEE AVALANCHE
PO BOX 97
HOMEDALE ID 83628

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JANUARY 5, 1998.

Yours truly,

Sue Taylor
Secretary, Office Coordinator

Enclosure

MICROFILMED

AUG 06 1998

**NOTICE OF PROPOSED CHANGE OF WATER
RIGHTS, TRANSFER NO. 5182**

Notice is given that Linda Ferris &/or Robert, Kelly or Ben Thomas of HC 79 Box 2060, Murphy ID 83650 have applied to the Department of Water Resources to change the point of diversion pursuant to I.C. § 42-222 for the following decreed rights in T4S R1E, Owyhee County:

#57-00040, priority 10-1-1869, 8.04 cfs, Catherine Creek tributary to Castle Creek, diverted in SESESW S.29 for irrigation and stockwater, 196 acres total.

#57-02235, priority 11-24-1959, 3.56 cfs, ground water diverted in SESWSW S.29 and injected into & rediverted from Catherine Creek at point described in 57-00040 to irrigate 237 acres.

When combined, both rights are limited to 8.86 cfs to irrigate 237 acres per year within portions of S.27, 28 and 29. These rights were recently decreed in the Snake River Basin Adjudication.

PROPOSED CHANGE

Add a Catherine Creek diversion point in NENWSW S.28, which will also be another rediversion point from the creek for ground water injected as described above.

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 January 5, 1998. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Owyhee Avalanche on December 17 and 24, 1997.

MICROFILMED

AUG 06 1998

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

In Re SRBA

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS

IDWR has completed the following Administrative Proceeding:

- ☐ Change of Address
☒ Substitution of Party
☐ I.C. § 42-222 transfer

CHANGE OF ADDRESS

Name of Claimant: _____

Claimant's Water Rights: _____

New Address: _____

Phone: _____

The Claimant has filed Objections or Responses to the following water rights: 57-02353, 57-02357, 57-02361, 57-07062, 57-07066, 57-07069, 57-11029, 57-11036, 57-11105, 57-11115, 57-11117, 57-11118, 57-11120, 57-11123, 57-11141, 57-11255, 57-11260, 57-11328, 57-11329, 57-11336

SUBSTITUTION OF PARTY

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No.

If yes, does the split involve an I.C. § 42-222 transfer? ☐ Yes ☐ No.

Water Right(s): 57-00040, 57-00049, 57-00050, 57-00055, 57-00056B, 57-00059, 57-00072, 57-00074, 57-00075, 57-00079, 57-00081, 57-00132, 57-00134, 57-02235, 57-02316, 57-10558, 57-10605, 57-10606, 57-10608, 57-10616, 57-10619, 57-10620, 57-10625, 57-10627A, 57-10631, 57-10642

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AUG 06 1998

AUG 06 1998
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Signature of IDWR Representative

[Handwritten Signature]

DATED: 1-29-97

if any, as reflected on the attached certificate of mailing.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Report(s) on the claimant(s), prior claimant(s) and all parties in the subcases affected, above.

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth

- ☐ Period of Use ☐ Nature of Use
☐ Point of Diversion ☐ Place of Use

right been made to the water right:

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed for water and all appeal times have run. The following changes have

I.C. § 42-222 TRANSFERS

Name of Claimant: BEN A. THOMAS JR.
Address: LINDA K. FERRIS
HC 79 BOX 2060
MURPHY ID 83650
Phone:

Name of Claimant: ROBERT A. THOMAS
Address: KELLY A. THOMAS
HC 79 BOX 2060
MURPHY ID 83650
Phone:

To (Claimant/Purchaser):

From (Claimant/Seller):
Name of Claimant: SHIRLEY M. COX
Address: HC 79 BOX 2065
MURPHY ID 83650
Phone:

CERTIFICATE OF MAILING

I certify that on January 29, 1997, I mailed the original and copies of this form, to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
SHIRLEY M. COX
HC 79 BOX 2065
MURPHY ID 83650
3. One Copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
ROBERT A. THOMAS & KELLY A. THOMAS & BEN A. THOMAS JR. & LINDA K. FERRIS
HC 79 BOX 2060
MURPHY ID 83650
4. One copy to:
Each party in the subcase, or attorney of record :
N/A
5. One copy to:
Chief, Natural Resources Division
Office of the Attorney General
P. O. Box 44449
Boise, Idaho 83711-4449
6. One copy to:
United States Dept. Of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Lori Harris

Signature of person or attorney mailing the form



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

January 29, 1996

ROBERT A THOMAS
KELLY A THOMAS
BEN A THOMAS JR
LINDA K FERRIS
HC 79 BOX 2060
MURPHY ID 83650

Dear Claimant(s):

Enclosed are copies of the Notice of Completed Administrative Proceedings and pertinent water rights recently sent to the Snake River Basin Adjudication Court in Twin Falls. These documents are now required to be filed by the Department in order to notify the Court of any changes to your water right after it was filed with the Court in October, 1992.

Also enclosed, for your records, are copies of water right nos. 57-10624, 57-10627B, 57-10632, 57-10643 and 57-10644 which have already been decreed by the SRBA court, and claim nos. A55-02029, A55-02434, A55-10094 and A55-10095 which will be submitted to the court for decree at a later date.

Please contact this office if you have any questions concerning this notification.

Sincerely,

ADJUDICATION SECTION
WESTERN REGION OFFICE

JS:lh

Enclosures

MICROFILMED
AUG 06 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

January 29, 1996

SHIRLEY M COX
HC 79 BOX 2065
MURPHY ID 83650

Dear Shirley:

Enclosed are copies of the Notice of Completed Administrative Proceedings and pertinent water rights recently sent to the Snake River Basin Adjudication Court in Twin Falls. These documents are now required to be filed by the Department in order to notify the Court of any changes to the water rights after it they were filed with the Court in October, 1992. In addition to changing the ownership on these rights, we have also changed the following water rights:

57-10624	57-10627B	57-10632	57-10643
57-10644	A55-02029	A55-02434	A55-10094
A55-10095			

Please contact this office if you have any questions concerning this notification.

Sincerely,

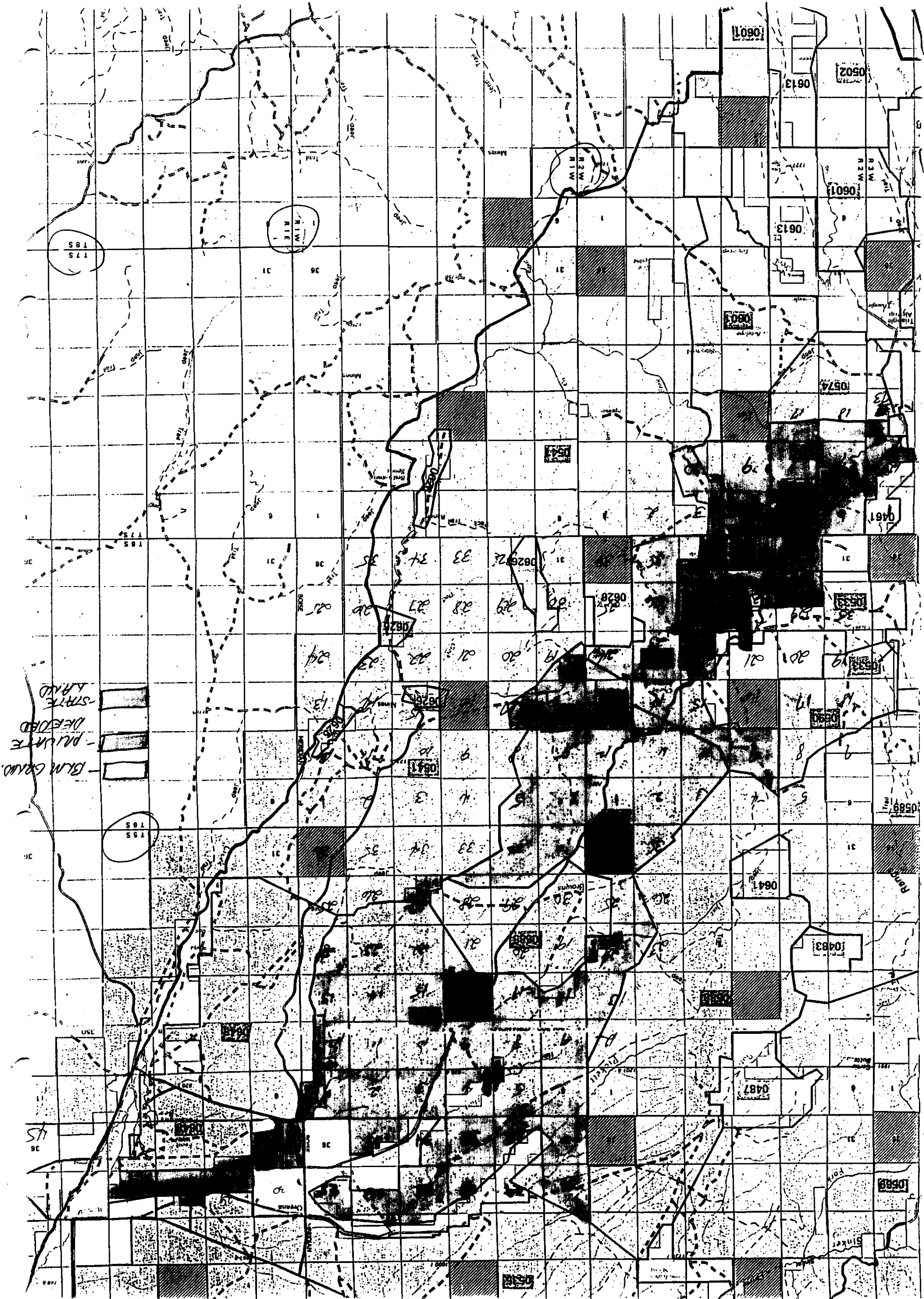
ADJUDICATION SECTION
WESTERN REGION OFFICE

JS:lh

Enclosures

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AUG 06 1998



Copy of BLM Grazing
land need to determine
which grazing permits
were purchased from
Office for by BLM (Donner)

57-10619

10606

10614

10641

10605

10631

10620

55-10101

MICROFILMED

AUG 0 6 1958



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

FEB 04 1994

February 4, 1994

WATER RESOURCES
WESTERN REGION

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Scott Campbell
Elam & Burke
P.O. Box 1539
Boise, ID 83701

RECEIVED

MAY 13 1996

Department of Water Resources

RE: Snake River Basin Adjudication (SRBA)
Change in Notice of Appearance of Counsel on the Snake River
Basin Adjudication Claims for Owen Ranches, Pioneer
Irrigation District and Settlers' Irrigation District

Dear Scott:

Following your letter request to David Shaw of December 10, 1993, attached is an adjudication report denoting the claims filed by your clients referenced above that have been changed. We have also updated water right 57-00040 for Pioneer Irrigation as you requested.

Please note water rights claims showing Richard L. Owen as claimant were not changed in our database. You may wish to file another Notice to the court if you are representing Richard L. Owen as well as Owen Ranches, each of whom have filed claims as if they were unrelated parties.

Call me if you have questions.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:regions
Enclosures:

Adjudication Report

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AUG 06 1998

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FEB 04 1994

WATER RESOURCES
WESTERN REGION

SCOTT L. CAMPBELL

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

RECEIVED

DEC 14 1993

Department of Water Resources

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

December 10, 1993

Mr. David B. Shaw
Bureau Chief
Adjudications Bureau
State of Idaho
Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

Re: Change in Notice of Appearance of Counsel on the Snake River Basin
Adjudication Claims for Owen Ranches, Pioneer Irrigation District and
Settlers' Irrigation District

Dear David:

This correspondence is to notify the Department of my change of address
and affiliation. I am presently a shareholder with the law firm Elam & Burke at the
following address:

Scott L. Campbell
Elam & Burke
P.O. Box 1539
702 West Idaho, Floor 10
Boise, Idaho 83701

Attached please find the computer records the Department of Water
Resources provided me with as confirmation of the change in firm affiliation I made
prior to this move. In addition to these, Pioneer Irrigation District has filed an

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AUG 06 1998

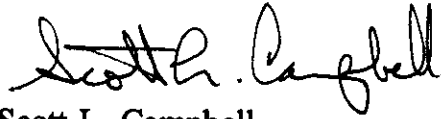
David B. Shaw, Esq.
December 10, 1993
Page 2

objection to Water Right No. 57-00040. This, too, will need to be updated with my new firm information.

I apologize for the inconvenience this will cause you. If there is anything I can do to expedite this process, please call.

Very truly yours,

ELAM & BURKE
A Professional Association


Scott L. Campbell

SLC:ma
Enclosure

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AUG 06 1998

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FEB 04 1994

Scott L. Campbell
ELAM & BURKE, A Professional Association
Key Financial Center
702 West Idaho Street
P.O. Box 1539
Boise, ID 83701
(208) 343-5454

WATER RESOURCES
WESTERN REGION

RECEIVED

DEC 09 1993

Department of Water Resources
Adjudication Bureau

Attorneys for Pioneer Irrigation District,
Settlers Irrigation District and Owen Ranches

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

In re the General Adjudication)
of Rights to the Use of Water)
from the Snake River Basin)
Water System)

Case No. 39576

R. Keith Higginson in his)
official capacity as Director)
of the Idaho Department of)
Water Resources,)
Petitioner,)

NOTICE OF CHANGE OF FIRM AND
ADDRESS

vs.)

*changes made by
Don Shaff.*

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

- of 2-4-94

Respondents.)

DESCRIPTIVE SUMMARY

This document is a Notice of Change of Address and Firm for Scott L. Campbell, Counsel
for Settlers' Irrigation District, Pioneer Irrigation District, and Owen Ranches.

1 - NOTICE OF CHANGE OF FIRM AND ADDRESS
CA\WPDATA\SLC\00001.PLD

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AUG 06 1998

Please be notified that effective immediately, the firm and address for Scott L. Campbell, Counsel for Settlers' Irrigation District, Pioneer Irrigation District, and Owen Ranches has been changed to:

Scott L. Campbell
ELAM & BURKE,
A Professional Association
Key Financial Center
702 West Idaho Street
P.O. Box 1539
Boise, ID 83701
(208) 343-5454

This Notice is applicable to Case No. 39576; Basin-Wide Issue No. 1, Case No. 91-00001; Basin-Wide Issue No. 2, Case No. 91-00002; and Objection to Water Right 57-00040, Reporting Area 57.

DATED this 6th Day of December, 1993.

ELAM & BURKE

By Scott L. Campbell
Scott L. Campbell

MICROFILMED
AUG 06 1998

A

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 6th day of December, 1993, I served a true and correct copy of the foregoing NOTICE OF CHANGE OF FIRM AND ADDRESS by depositing a copy thereof in the United States mail, postage prepaid, to the following:

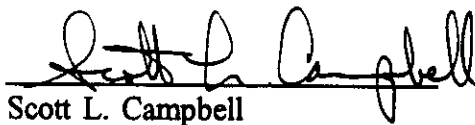
All Parties of Record

Case No. 39576

Basin-Wide Issue No. 1

Basin-Wide Issue No. 2

Water Right 57-00040


Scott L. Campbell

3 - NOTICE OF CHANGE OF FIRM AND ADDRESS
CAWPDATA\SLC\00001.PLD

MICROFILMED
AUG 06 1998

CERTIFICATE OF MAILING

*Roger D. Ling, Esq.
Ling Nielsen & Robinson
P. O. Box 396
Rupert, ID 83350

Robert T. Anderson, Esq.
Native American Rights Fund
310 "K" Street, Suite 708
Anchorage, AK 99501

David W. Harder, Esq.
Indian Resources Section
U.S. Department of Justice
P. O. Box 44378
Washington, D.C. 20026-4378

Larry Echohawk, Esq.
Attorney General
Attn: Clive Strong
Deputy Attorney General
Statehouse Mail, Room 210
Boise, ID 83720

David B. Shaw, Chief
Adjudication Bureau
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

*Bruce M. Smith, Esq.
James C. Tucker
Rosholt, Robertson &
Tucker, Chartered
P. O. Box 2139
Boise, ID 83701-2139

*Craig R. Zaiss, Esq.
P. O. Box 628
Parma, ID 83660-0628

*David B. Lincoln, Esq.
Elam, Burke & Boyd
P. O. Box 1539
Boise, ID 83701

Patrick D. Costello, Esq.
Park Costello & Burkett
P.O. Box 547
Boise, Idaho 83701

*Brad A. Flinders, Esq.
Stunz, Fonda, Nichols et al.
P.O. Box 1565
Nyssa, Oregon 97913

Laird Lucas
Staff Attorney
Land & Water Fund of the Rockies
P.O. Box 1612
Boise, Idaho 83701

William R. Hollifield
Hollifield, Tolman & Bevan
249 Third Avenue East
P.O. Box 1846
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AUG 06 1998

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Snake River Basin Adjudication
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DEC 07 1993
Department of Water Resources

Attorneys for Pioneer Irrigation District,
Settlers Irrigation District and Owen Ranches

RECEIVED
DEC 10 1993
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 the General Adjudication)
of Rights to the Use of Water)
from the Snake River Basin)
Water System)

Case No. 39576

R. Keith Higginson in his)
official capacity as Director)
of the Idaho Department of)
Water Resources,)
Petitioner,)

NOTICE OF CHANGE OF FIRM AND
ADDRESS

*added → ATT ADDRESS
→ 57-00040 mly
12-10-93*

vs.)

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

Respondents.)

DESCRIPTIVE SUMMARY

This document is a Notice of Change of Address and Firm for Scott L. Campbell, Counsel
for Settlers' Irrigation District, Pioneer Irrigation District, and Owen Ranches.

MICROFILMED

1 - NOTICE OF CHANGE OF FIRM AND ADDRESS
C:\WPDATA\SLC\00001.PLD

JUL 20 1994

Please be notified that effective immediately, the firm and address for Scott L. Campbell, Counsel for Settlers' Irrigation District, Pioneer Irrigation District, and Owen Ranches has been changed to:

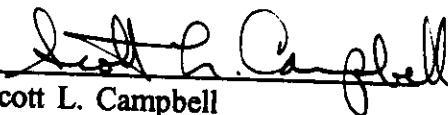
Scott L. Campbell
ELAM & BURKE,
A Professional Association
Key Financial Center
702 West Idaho Street
P.O. Box 1539
Boise, ID 83701
(208) 343-5454

*Now Owen Family
Revocable Trust A
from
Owen Trust
from
Owen Ranches!*

This Notice is applicable to Case No. 39576; Basin-Wide Issue No. 1, Case No. 91-00001; Basin-Wide Issue No. 2, Case No. 91-00002; and Objection to Water Right 57-00040, Reporting Area 57.

DATED this 6th Day of December, 1993.

ELAM & BURKE

By 
Scott L. Campbell

MICROFILMED

JUL 20 1994

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 6th day of December, 1993, I served a true and correct copy of the foregoing NOTICE OF CHANGE OF FIRM AND ADDRESS by depositing a copy thereof in the United States mail, postage prepaid, to the following:

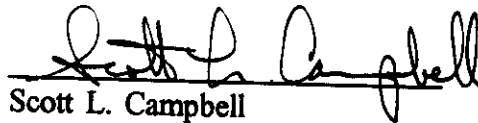
All Parties of Record

Case No. 39576

Basin-Wide Issue No. 1

Basin-Wide Issue No. 2

Water Right 57-00040


Scott L. Campbell

MICROFILMED

JUL 20 1994

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Attn: Clive Strong
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c/o Arthur W. Quist, Mgr.
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Arco, ID 83213

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JUL 20 1984

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

In Re the General Adjudication
of the Rights to the Use of Water
from the Snake River Basin
Water System

Case No. 57-00040 -0001

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

RESPONSE TO OBJECTION

Petitioner,

vs.

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

Respondents.

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

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JUL 20 1994

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

The director proposes no changes to the description of this claim in the Director's Report.

CHANGES TO THE DIRECTOR'S REPORT

In response to Statement of the Objection item 15 [14] and all allegations of the objection regarding this item IDWR responds as follows: IDWR denies the objection.

REASONS SUPPORTING EACH BOX CHECKED

14. ☒ Other: I respond to the objection concerning: OBJECTIONS TO GENERAL PROVISIONS 6, 14 AND 17

II. STATEMENT OF THE RESPONSE

Attorney Phone No.: (208) 327-7900

Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Attorney Name(s): DANIEL L. STECKEL

3. If this response is filed by an attorney:

Name: PIONEER IRRIGATION DISTRICT
Address: PO BOX 426
CALDWELL ID 83606

2. Person who filed objection:

Notice of Claim No. A57-00040

No. of
Pages

6

(Over)

RESPONSE TO OBJECTION NO. 57-00040 -0001 - PAGE 3

MICROFILMED
JUL 20 1994

VERIFICATION (Must be completed)

State of IDAHO
County of ADA

Donald V. Shaff, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Section Manager for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

Signature of person filing response

By:

(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 27th day of May, 1993.

Notary Public for Idaho
Residing at: Boise
My Commission expires: 11-14-1998

CERTIFICATE OF MAILING

I hereby certify that on the 28th day of May, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

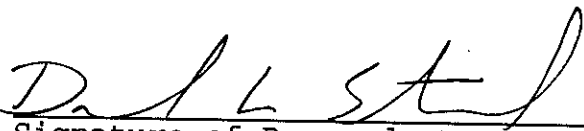
Name: SHIRLEY COX
Address: HC 79 BOX 2065
OREANA ID 83650

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: SCOTT L CAMPBELL
Address: 702 W IDAHO STREET
SUITE 700
BOISE ID 83702

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

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

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

Petitioner,

vs.

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

Respondents.

Case No. 39576

57-00040

OBJECTION

RECEIVED

MAR 0 1 1993

Department of Water Resources
Adjudication Bureau

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to any water right per objection form. To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the Court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the Court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically mailing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

(Over)

MICROFILMED

JUL 20 1994

OBJECTION - 1

SRBA A.O.1 Appendix A
2/11/93

By filling an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. IDENTIFICATION OF REPORTING AREA AND WATER RIGHT

Please fill in the following information:

1. Water Right Number: 57-00040
2. Reporting area number: 57
3. Owner of the water right:
Name: Shirley Cox
Address: HC 79 Box 2065
Oreana, Idaho 83650
4. Person objecting:
Name: Pioneer Irrigation District
Address: P.O. Box 426
Caldwell, Idaho 83606
5. If this objection is filed by an attorney:
Attorney Name: Scott L. Campbell
Attorney Address: 702 West Idaho Street, Ste. 700
Boise, Idaho 83702
Attorney Phone No. 208-338-8200

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.

3. ☐ Quantity: I object to:
- ☐ the total quantity of water used in cubic feet per second
 - ☐ the total quantity of water in acre-feet per year
 - ☐ the quantity of water for _____
(purpose of use)
 - ☐ The total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☐ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of a claimed instream flow.
7. ☐ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☐ Period of year: I object to the period of year when water is used for the purpose stated.
9. ☐ Place of Use: I object to the legal description of the place of use; or, if one of the purposes of use is irrigation, I object to the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. ☐ Non-irrigation Use: I object to the non-irrigation use(s).
12. ☐ Remarks: I object to the "remarks" listed with the water right.
13. ☐ Water Right Recommendation: I object to:
- ☐ This water right being recommended at all.
 - ☐ This water right not being recommended.
14. ☐ Description of Reservation: I object to the legal description of the reservation.
15. ☒ Other: I object to: General Provision 6, Page 8; General Provision 14, Page 14; General Provision 17, Page 17.

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Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary. Please see attached Addendum to Changes in the Director's Report.

CHANGES TO THE DIRECTOR'S REPORT

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary. Please see attached Addendum to Supporting Reasons for Objection.

REASONS SUPPORTING EACH BOX CHECKED

VERIFICATION

State of Idaho

County of Ada

_____, being first duly sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

By: _____

Scott L. Campbell
Scott L. Campbell
(Attorney signing in representative capacity)

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

Melvin Anderson
Notary Public for State of Idaho
Residing at: Boise, Idaho
My Commission expires: 1-14-99

(Over)

MICROFILMED

JUL 20 1994

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. Filing by facsimile will not be accepted by the Clerk of the Court. You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 26th day of February, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Owner Name:
Owner's Address:

Shirley Cox
HC 79 Box 2065
Oreana, Idaho 83650

3. One copy to:

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

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734

Attorney Mailing on Objector's Behalf

2/11/93

SRBA A.O.1 Appendix A

OBJECTION - 6

ADDENDUM TO SUPPORTING REASONS FOR OBJECTION

Pioneer Irrigation District objects to General Provision 6, Page 8 - Measuring Devices and Control Works-for the reason that it allows the Director to require an appropriator, at the appropriator's expense, to install and maintain measuring devices and control works at the field headgate and that the Director can prohibit or prevent the diversion of water by an appropriator who refuses or fails to install a measuring device and control work at the field headgate. This authority has not been granted to the Director under state law.

Pioneer Irrigation District objects to General Provision 14, Page 14 - Diversion Volume for Irrigation-for the reason that it determines a maximum annual volume of water reasonably required at the field headgate for irrigation. This is not an element of a water right nor is it necessary for administration of the water right. We also object to General Provision 14 for the reason that it states that the maximum annual volume of water reasonably required at the field headgate will be measured at the point of diversion from the water source.

Pioneer Irrigation District objects to General Provision 17, Page 16 - Diversion Rates in Excess of .02 cfs per Acre - for the reason that it determines a rate of flow not based on a decreed right nor does it explain the basis for the .02 cfs per acre. Pioneer Irrigation District also objects to this General Provision because it states that a rate of flow required at the field headgate will be measured at the point of diversion from the water source.

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ADDENDUM TO CHANGES IN THE DIRECTOR'S REPORT

General Provision 6, Page 8 - Measuring Devices and Control Works, should be changed by deleting the language "any other points".

General Provision 14, Page 14 - Diversion Volume for Irrigation -should be deleted.

General Provision 17 a, Page 16 - Diversion Rates in Excess of .02 cfs per Acre-should be changed to "Diversion Rates" and the text should be changed to read as follows: For purposes of determining the rates of diversion for the water rights in this report, actual, reasonable conveyance losses, irrigation methods, field conditions, and consumptive use requirements for crops in the area were considered.

General Provision 17 b, Page 16 - The text should be changed to read as follows: for small acreages of five acres or less a diversion rate of up to .03 cfs per acre is recommended without a remark stating the diversion rate per acre at the field headgate.

General Provision 17 c., Page 16, no change.

General Provision 17 d., Delete.

DAVIS WRIGHT TREMAINE

LAW OFFICES

702 WEST IDAHO STREET • SUITE 700 • BOISE, IDAHO 83702
(208) 338-8200

February 26, 1993

RECEIVED

MAR 01 1993

Department of Water Resources
Adjudication Bureau

Clerk of the Court
State of Idaho
Snake River Basin Adjudication
District Court
253 Third Avenue North
Twin Falls, Idaho 83303

Re: Objection to Director's Report

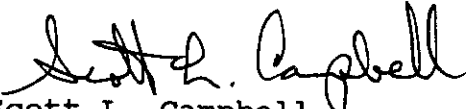
Dear Clerk:

Enclosed for filing please find the original Objection to the Director's Report on behalf of Pioneer Irrigation District. Please conform the enclosed copy and return it to me in the self addressed, stamped envelope.

Thank you for your assistance.

Very truly yours,

DAVIS WRIGHT TREMAINE


Scott L. Campbell

SLC:ma

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JUL 20 1994

MLA\00164.LTR
Boise

FAX: (208) 338-8299

ANCHORAGE, ALASKA • BELLEVUE, WASHINGTON • LOS ANGELES, CALIFORNIA • PORTLAND, OREGON
RICHLAND, WASHINGTON • SEATTLE, WASHINGTON • WASHINGTON, D.C.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 18, 1992

Re: Water Right Nos. 57-00055, 57-00072, 57-00074, 57-00079 & 57-00081(Browns Creek), 57-00056B, 57-00059 & 57-00075(Hart Creek), 57-00040, 57-00049, 57-00050, 57-00078, 57-00080 & 57-02259(Catherine Creek), 57-00132, 57-00134, 57-00160A, 57-00237B, 57-10855 & 57-10859 (Castle Creek)

Dennis & Shirley Cox Murdoch
HC 79, Box 2065
Oreana, ID 83650

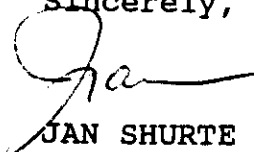
Dear Dennis & Shirley:

This letter is being written in response to the Notice of Error filed September 1, 1992, on the above referenced water rights. This notice of error was on the proposed season of use for these rights.

As explained while you were in my office, the seasons of use for these rights will not be changed prior to submittal to the court on October 1, 1992. The Department's standard season of use for this area is 3-15 to 11-15 for other than Castle Creek previously decreed rights. Castle Creek previously decreed rights were decreed a season of use of 4-1 to 10-15 in 1923 when the decree was finalized, and the Department cannot recommend a longer season of use than what was previously decreed. Therefore, the season of use for these water rights will not be recommended for a longer season of use.

You can file an objection with the court once these rights are entered and submit evidence as to why you feel a longer season of use is needed. The objection procedure will be explained completely when you receive copies of your water rights submitted to the court on October 1, 1992. This notification will be mailed at the same time the report is given to the court. If you have any questions concerning this letter, please feel free to contact me.

Sincerely,


JAN SHURTE
Water Rights Supervisor
Adjudication Section
Western Region

JS:j

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OCT 07 1992

NOTICE OF ERROR FORM

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

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

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS:

AUGUST 20, 1992

1. Water Right Number: *ALL CASTLE & CATHERINE CREEK IRRIG. RTS. (SEE ATTACHED LIST) & ALL HART & BROWNS CREEK IRRIG. RTS.*
2. Name: *DENNIS & SHIRLEY MURDOCH (AKA SHIRLEY COX)*
- Address: *HC 79 BOX 2065*
DAKANA, ID 83650
- Weekday Telephone Number: *834-2028*

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

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

PROPOSED SEASON OF USE

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

ALLOW EARLIER IRRIGATION IN SPRING - FEBRUARY 1ST TO NOV. 15TH.

5. Describe why you disagree with the proposed recommendation:

HISTORICALLY, IRRIGATION OCCURS AS EARLY AS FEB. 1ST & IN CASE OF A STORAGE RIGHT BEING APPROVED FOR THE NON-IRRIGATION SEASON OUR PRESENT SEASON OF USE WILL

6. DATE: *Sept. 1, 1992* SIGNATURE: *Shirley Cox Murdoch*

(7/92 KW)

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OCT 07 1992

ANY PRE-IRRIGATION SEASON FLOODWATER USE.

LISTING OF SHIRLEY COX MURDOCH'S BROWNS, HART, CASTLE & CATHERINE
CREEK RIGHTS FOR THE NOTICE OF ERROR FILED 9-1-92.

BROWNS CREEK - 57-00055, 57-00072, 57-00074, 57-00079, 57-00081

HART CREEK - 57-00056B, 57-00059 & 57-00075

CATHERINE CREEK SOURCE - 57-00040, 57-00049, 57-00050, 57-00078,
57-00080 & 57-02259

CASTLE CREEK SOURCE - 57-00132, 57-00134, 57-00160A, 57-00237B,
57-10855 & 57-10859

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OCT 07 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:16:23
10/09/91

CLAIM NUMBER: A57-00040

PAGE: 1
GENERAL INFORMATION

LAST: COX
ADDRESS: HC 79 BOX 2065
CITY: OREANA
PHONE NUMBER: 208-834-2028

FIRST: SHIRLEY

STATE: ID ZIP: 83650

OWNER CODE: C

LAST: NEIL
ADDRESS:
CITY: N/A
PHONE NUMBER: 208-000-0000

FIRST: J. M.

STATE: ID ZIP: 00000

OWNER CODE: O

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: THIS CLAIM IS BASED ON COMBINING WATER RIGHTS 57-00040A AND 57-00040B.
THE PLACE OF USE FOR THE STOCKWATER IS THE SAME AS THE IRRIGATED LAND. STOCK DRINK FROM CATHERINE CREEK AND THE DITCHES.

*will be to combining. Ditch
changed to - combine. Ditch
and. for the water
+ stock.
in ditch.*

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OCT 07 1992

CONTACT PERSON: Shirley Cox (MARRIED NAME) PHONE NUMBER: 2088342028
DATE OF FIELD EXAM: 11.5.90 APPOINTMENT MADE: Y() N() TIME: 9:00 A(X) P()
ACCOMPANIED BY: Dennis Muesock PHONE NUMBER: () - -
RELATIONSHIP TO CLAIMANT: HUSBAND
DIRECTIONS TO PROPERTY / REMARKS:
Meet at Ranch.

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OCT 07 1992

8-14-90

FIELD EXAM
TELEPHONE CONVERSATION MEMO

I.D. NUMBER A57-00040 & etc

NAME OF CONTACT Shirley Cox

PHONE NO. 834-2028 ADJ. AGENT Linda W.

DATE SET FOR EXAM 8-28-90 @ 8:30 Cancelled to 11-5-90 Approx.

LOCATION Cox residence - Ho past Orinma turnoff 2 miles past this
See David Ranch sign. ^{Happy} Turn right at that ^{First issue} sign. Follow road to house - will see under block barns & ^{house} other bldgs. white mobile home 1/2 brown trim - next to ^{house} green house 1/2 white trim

Diverting at full rates? No

Type of measuring devices? None

Places to make measurements? No

Type of system? (pipeline, ditches) Dumps, ditches from creeks

How many laterals are used? Well - ditches to cooling pond to ditches →

Length and size of mainline? all gravity flow.

Size of Motor used for each P/D? Artesian

Estimate of depth to water? _____

Pressure at well? _____

Pressure at sprinkler head? N/A

¹⁵⁰
Irr. 300 acres from well. Irr. some acreage from spring. This water intermixed with well.

Brown's creek & others haven't run in 5 yrs. They jump around when irr. from well. Pickett & Hart are trib. to Catherine creek so some diversions may be on Pickett creek.

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OCT 07 1992

CLAIM NUMBER: A57-00040

A. AJ CLAIM: # A57-00040 PRIORITY DATE: 10-01-1869 STAGE: D
B. WR RECORD: # 57-00040 PRIORITY DATE: - - - - - STAGE: ~~←~~
C. FIELD EXAM REQUIRED? DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE FIELD EXAMINER
Y NO
ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X) was 10-1-1869

REMARKS: Same as decreed.

RECOMMENDED PRIORITY DATE:

P.L. 1869

REVIEWED BY

DATE 10-01-91

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OCT 07 1992

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY	REMARKS
~~A57-00040~~	~~04S~~	~~01E~~	~~28~~	~~NE~~	~~NW~~	~~SW~~	~~3~~	~~CATHE~~	~~delete - see remarks~~
~~A57-00040~~	~~04S~~	~~01E~~	~~29~~	~~SE~~	~~SE~~	~~SW~~		~~CATHE~~	
~~A57-00040~~	~~04S~~	~~01E~~	~~30~~	~~NW~~	~~NW~~	~~SW~~		~~CATHE~~	~~delete - see remarks~~

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX
R PREFIX
A57-00054
R57-00050
A57-00049
R57-00054

NONE

SOURCE: CATHERINE CREEK

TRIB: CASTLE CREEK

B. WR POINT OF DIVERSION AND SOURCE:

5700040 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

C. FIELD EXAM REQUIRED?

FIELD EXAMINER	DATABASE	Y/N	Y/N
	Y	Y	Y

REMARKS:

For the lands covered under this right, only the p.d. in sec. 29 can irrigate lands in Sec's 27, 28 & 29 - east of and by Brown's Creek into Catherine. The only land that p.d. cannot irrigate is the 8 acres in the NWSE, S. 28 which will be covered under A57-00050. No overlap with those lands - 5 acres under this p.d. are different than the 3 under 00050. A57-00049 covers the other remaining lands in sec's 29, 31 & 32 originally claimed under this & 00050 as a permitted place of use. I am undoing the PDU since all p.d.s cannot irrigate all lands claimed under PDU.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TMP. RGE. SEC.

1/4

1/4

1/4

LOT

COUNTY

45 1/E 29

SE

SE

SE

CASTLE CR.

WYOMING

AKA PO # 2

SEE MAP ATTACHED

AT END OF CUR

SOURCE: CATHERINE CR.

TRIB: CASTLE CR.

DATE: 10-27-91

REVIEWED BY: [Signature]

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OCT 07 1992

A. ROOT WATER RIGHT NUMBERS: A57-00040
R57-00040

B. POUL LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
04S	01E	27	NE	SW		COX, SHIRLEY	A57-00040 /11.0	-	37.0	3	3
			NE	SW		COX, SHIRLEY	A57-00049 /11.0	-			
			NE	SW		COX, SHIRLEY	A57-00050 /11.0	-			
			NE	SW		COX, SHIRLEY	A57-00040 /3.0	-			
			NE	SW		COX, SHIRLEY	A57-00054 /11.0	-			
			NE	SW		COX, SHIRLEY	A57-02235 /11.0	-			
			NE	SW		COX, SHIRLEY	A57-10558 /11.0	-			
			NE	SW		COX, SHIRLEY	A57-00049 /11.0	-			
			NE	SW		COX, SHIRLEY	R57-00050 /11.0	-			
			NE	SW		COX, SHIRLEY	R57-00054 /11.0	-			
			NE	SW		COX, SHIRLEY	R57-02235 /11.0	-			
			NE	SW		COX, SHIRLEY	R57-10558 /11.0	-			
04S	01E	27	NW	SW		COX, SHIRLEY	A57-00040 /20.0	-	36.0	18	18
			NW	SW		COX, SHIRLEY	A57-10558 /20.0	-			
			NW	SW		COX, SHIRLEY	A57-00049 /20.0	-			
			NW	SW		COX, SHIRLEY	A57-00050 /20.0	-			
			NW	SW		COX, SHIRLEY	R57-00040 /18.0	-			
			NW	SW		COX, SHIRLEY	A57-00054 /20.0	-			
			NW	SW		COX, SHIRLEY	R57-10558 /20.0	-			
			NW	SW		COX, SHIRLEY	A57-02235 /20.0	-			
			NW	SW		COX, SHIRLEY	R57-00049 /20.0	-			
			NW	SW		COX, SHIRLEY	R57-00050 /20.0	-			
			NW	SW		COX, SHIRLEY	R57-00054 /20.0	-			
			NW	SW		COX, SHIRLEY	R57-02235 /20.0	-			
04S	01E	27	SE	SW		COX, SHIRLEY	A57-00040 /3.0	-	13.0	1	1
			SE	SW		COX, SHIRLEY	A57-00049 /3.0	-			
			SE	SW		COX, SHIRLEY	A57-00050 /3.0	-			
			SE	SW		COX, SHIRLEY	R57-00040 /1.0	-			
			SE	SW		COX, SHIRLEY	A57-00054 /3.0	-			
			SE	SW		COX, SHIRLEY	A57-02235 /3.0	-			
			SE	SW		COX, SHIRLEY	A57-10558 /3.0	-			
			SE	SW		COX, SHIRLEY	R57-00049 /3.0	-			
			SE	SW		COX, SHIRLEY	R57-00050 /3.0	-			
			SE	SW		COX, SHIRLEY	R57-00054 /3.0	-			
			SE	SW		COX, SHIRLEY	R57-02235 /3.0	-			
04S	01E	27	NW	SE		COX, SHIRLEY	A57-00040 /4.0	-	33.0	0	0
			NW	SE		COX, SHIRLEY	A57-00049 /4.0	-			
			NW	SE		COX, SHIRLEY	A57-00050 /4.0	-			
			NW	SE		COX, SHIRLEY	R57-02235 /4.0	57-02235 /28.0			
			NW	SE		COX, SHIRLEY	A57-00054 /4.0	-			
			NW	SE		COX, SHIRLEY	A57-02235 /4.0	-			
			NW	SE		COX, SHIRLEY	A57-10558 /4.0	-			
			NW	SE		COX, SHIRLEY	R57-00049 /4.0	-			

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OCT 07 1992

04S 01E 28	NE	SW	COX , SHIRLEY	R57-00050 / 4.0	-	/	40.0	NE
	NW	SE	COX , SHIRLEY	R57-00054 / 4.0	-	/		NE
	NW	SE	COX , SHIRLEY	R57-10558 / 4.0	-	/		NE
	NE	SW	COX , SHIRLEY	A57-00040 / 34.0	-	/		
	NE	SW	COX , SHIRLEY	A57-00049 / 34.0	-	/		
	NE	SW	COX , SHIRLEY	A57-00050 / 34.0	-	/		
	NE	SW	COX , SHIRLEY	R57-02235 / 34.0	-	/	57-02235 / 40.0	
	NE	SW	COX , SHIRLEY	R57-00040 / 34.0	-	/		
	NE	SW	COX , SHIRLEY	A57-00054 / 34.0	-	/		
	NE	SW	COX , SHIRLEY	A57-02235 / 34.0	-	/		
	NE	SW	COX , SHIRLEY	R57-00049 / 34.0	-	/		
	NE	SW	COX , SHIRLEY	R57-00050 / 34.0	-	/		
	NE	SW	COX , SHIRLEY	R57-00054 / 34.0	-	/		
	NE	SW	NEIL , J. M.	57-00040B /	-	/		
04S 01E 28	NW	SW	COX , SHIRLEY	A57-00040 / 18.0	-	/	41.0	16
	NW	SW	COX , SHIRLEY	A57-00049 / 18.0	-	/		16
	NW	SW	COX , SHIRLEY	A57-00050 / 18.0	-	/		
	NW	SW	COX , SHIRLEY	R57-02235 / 27.0	-	/	57-02235 / 38.0	
	NW	SW	COX , SHIRLEY	R57-00040 / 16.0	-	/		
	NW	SW	COX , SHIRLEY	A57-00054 / 18.0	-	/		
	NW	SW	COX , SHIRLEY	A57-02235 / 27.0	-	/		
	NW	SW	COX , SHIRLEY	R57-00049 / 18.0	-	/		
	NW	SW	COX , SHIRLEY	R57-00050 / 18.0	-	/		
	NW	SW	COX , SHIRLEY	R57-00054 / 18.0	-	/		
	NW	SW	NEIL , J. M.	57-00040B /	-	/		
04S 01E 28	SW	SW	COX , SHIRLEY	A57-00040 / 3.0	-	/	12.0	5
	SW	SW	COX , SHIRLEY	A57-00049 / 3.0	-	/		5
	SW	SW	COX , SHIRLEY	A57-00050 / 3.0	-	/		
	SW	SW	COX , SHIRLEY	R57-02235 / 3.0	-	/		
	SW	SW	COX , SHIRLEY	R57-00040 / 5.0	-	/		
	SW	SW	COX , SHIRLEY	A57-00054 / 3.0	-	/		
	SW	SW	COX , SHIRLEY	A57-02235 / 3.0	-	/		
	SW	SW	COX , SHIRLEY	R57-00049 / 3.0	-	/		
	SW	SW	COX , SHIRLEY	R57-00050 / 3.0	-	/		
	SW	SW	COX , SHIRLEY	R57-00054 / 3.0	-	/		
	SW	SW	NEIL , J. M.	57-00040B /	-	/		
04S 01E 28	SE	SW	COX , SHIRLEY	A57-00040 / 3.0	-	/	14.0	3
	SE	SW	COX , SHIRLEY	A57-00049 / 3.0	-	/		3
	SE	SW	COX , SHIRLEY	A57-00050 / 3.0	-	/		
	SE	SW	COX , SHIRLEY	R57-02235 / 3.0	-	/	57-00050	
	SE	SW	COX , SHIRLEY	R57-00040 / 3.0	-	/		
	SE	SW	COX , SHIRLEY	A57-00054 / 3.0	-	/		
	SE	SW	COX , SHIRLEY	A57-02235 / 3.0	-	/		
	SE	SW	COX , SHIRLEY	R57-00049 / 3.0	-	/		
	SE	SW	COX , SHIRLEY	R57-00050 / 3.0	-	/		
	SE	SW	COX , SHIRLEY	R57-00054 / 3.0	-	/		
	SE	SW	NEIL , J. M.	57-00040B /	-	/		
04S 01E 28	NE	SE	COX , SHIRLEY	A57-00040 / 8.0	-	/	26.0	7
	NE	SE	COX , SHIRLEY	A57-00049 / 8.0	-	/		7
	NE	SE	COX , SHIRLEY	A57-00050 / 8.0	-	/	57-00050	
	NE	SE	COX , SHIRLEY	R57-00040 / 7.0	-	/		
	NE	SE	COX , SHIRLEY	A57-00054 / 8.0	-	/		
	NE	SE	COX , SHIRLEY	A57-02235 / 8.0	-	/	57-02235 / 32.0	
	NE	SE	COX , SHIRLEY	A57-10558 / 8.0	-	/		

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OCT 07 1992

*
other factors
checked under
57-00050

04S 01E 28	NE	SE	COX , SHIRLEY	R57-00049 / 8.0	-	36.0	13*	5
	NE	SE	COX , SHIRLEY	R57-00050 / 8.0	-			
	NE	SE	COX , SHIRLEY	R57-00054 / 8.0	-			
	NE	SE	COX , SHIRLEY	R57-02235 / 8.0	-			
	NE	SE	COX , SHIRLEY	R57-10558 / 8.0	-			
	NW	SE	COX , SHIRLEY	A57-00040 / 17.0	-			
	NW	SE	COX , SHIRLEY	A57-00049 / 17.0	-			
	NW	SE	COX , SHIRLEY	A57-00050 / 17.0	57-00050			
	NW	SE	COX , SHIRLEY	A57-00054 / 17.0	-			
	NW	SE	COX , SHIRLEY	A57-02235 / 17.0	57-02235 / 38.0			
	NW	SE	COX , SHIRLEY	A57-10558 / 3.0	-			
	NW	SE	COX , SHIRLEY	R57-00049 / 17.0	-			
	NW	SE	COX , SHIRLEY	R57-00050 / 17.0	-			
	NW	SE	COX , SHIRLEY	R57-00054 / 17.0	-			
	NW	SE	COX , SHIRLEY	R57-02235 / 17.0	-			
	NW	SE	COX , SHIRLEY	R57-10558 / 3.0	-			
	NW	SE	COX , SHIRLEY	R57-00040 / 13.0	-			

04S 01E 28	SW	SE	COX , SHIRLEY	A57-00040 / 17.0	-	14.0	17	17
	SW	SE	COX , SHIRLEY	A57-10558 / 16.0	-			
	SW	SE	COX , SHIRLEY	A57-00049 / 17.0	-			
	SW	SE	COX , SHIRLEY	A57-00050 / 17.0	57-00050			
	SW	SE	COX , SHIRLEY	R57-00040 / 17.0	-			
	SW	SE	COX , SHIRLEY	R57-00054 / 17.0	-			
	SW	SE	COX , SHIRLEY	A57-02235 / 17.0	57-02235 / 13.0			
	SW	SE	COX , SHIRLEY	R57-00049 / 17.0	-			
	SW	SE	COX , SHIRLEY	R57-00050 / 17.0	-			
	SW	SE	COX , SHIRLEY	R57-00054 / 17.0	-			
	SW	SE	COX , SHIRLEY	R57-02235 / 17.0	-			
	SW	SE	COX , SHIRLEY	R57-10558 / 16.0	-			

04S 01E 28	SE	SE	COX , SHIRLEY	A57-00040 / 17.0	-	15.0	18	18
	SE	SE	COX , SHIRLEY	A57-00049 / 17.0	-			
	SE	SE	COX , SHIRLEY	A57-00050 / 17.0	-			
	SE	SE	COX , SHIRLEY	R57-02235 / 17.0	57-02235 / 17.0			
	SE	SE	COX , SHIRLEY	R57-00040 / 18.0	-			
	SE	SE	COX , SHIRLEY	A57-00054 / 17.0	-			
	SE	SE	COX , SHIRLEY	A57-02235 / 17.0	-			
	SE	SE	COX , SHIRLEY	A57-10558 / 17.0	-			
	SE	SE	COX , SHIRLEY	R57-00049 / 17.0	-			
	SE	SE	COX , SHIRLEY	R57-00050 / 17.0	-			
	SE	SE	COX , SHIRLEY	R57-00054 / 17.0	-			
	SE	SE	COX , SHIRLEY	R57-10558 / 17.0	-			

04S 01E 29	NE	SE	COX , SHIRLEY	A57-00040 / 18.0	-	40.0	23*	12
	NE	SE	COX , SHIRLEY	A57-00049 / 18.0	-			
	NE	SE	COX , SHIRLEY	A57-00050 / 18.0	-			
	NE	SE	COX , SHIRLEY	R57-00040 / 12.0	-			
	NE	SE	COX , SHIRLEY	A57-00054 / 18.0	-			
	NE	SE	COX , SHIRLEY	A57-02235 / 36.0	57-02235 / 25.0			
	NE	SE	COX , SHIRLEY	R57-00049 / 18.0	-			
	NE	SE	COX , SHIRLEY	R57-00050 / 18.0	-			
	NE	SE	COX , SHIRLEY	R57-00054 / 18.0	-			
	NE	SE	COX , SHIRLEY	R57-02235 / 36.0	-			
	NE	SE	NEIL , J. M.		57-000408 /			

04S 01E 29	NW	SE	COX , SHIRLEY	A57-00040 / 1.0	-	33.0	9*	1
	NW	SE	COX , SHIRLEY	A57-00049 / 1.0	-			

*
other factors
checked under
57-02235

*
other factors
checked under
57-02235

NW	SE	COX , SHIRLEY	A57-00050	/ 1.0	-	/
NW	SE	COX , SHIRLEY	A57-00054	/ 1.0	-	/
NW	SE	COX , SHIRLEY	A57-02235	/ 10.0	57-02235	/ 9.0
NW	SE	COX , SHIRLEY	R57-00049	/ 1.0	-	/
NW	SE	COX , SHIRLEY	R57-00050	/ 1.0	-	/
NW	SE	COX , SHIRLEY	R57-00054	/ 1.0	-	/
NW	SE	COX , SHIRLEY	R57-02235	/ 10.0	-	/
NW	SE	COX , SHIRLEY	R57-00040	/ 1.0	-	/
NW	SE	NEIL , J. M.	57-00070	/	57-00070	/
NW	SE	COX , SHIRLEY	P57-07267	/ 40.0	P57-07267	/ 40.0

04S 01E 29	SW	SE	COX , SHIRLEY	A57-00040	/ 11.0	-	/	34.0	13	13
	SW	SE	COX , SHIRLEY	A57-00049	/ 11.0	-	/			
	SW	SE	COX , SHIRLEY	A57-00050	/ 11.0	-	/			
	SW	SE	COX , SHIRLEY	A57-00054	/ 11.0	-	/			
	SW	SE	COX , SHIRLEY	A57-02235	/ 11.0	57-02235	/ 38.0			
	SW	SE	COX , SHIRLEY	R57-00049	/ 11.0	-	/			
	SW	SE	COX , SHIRLEY	R57-00050	/ 11.0	-	/			
	SW	SE	COX , SHIRLEY	R57-00054	/ 11.0	-	/			
	SW	SE	COX , SHIRLEY	R57-02235	/ 11.0	-	/			
	SW	SE	COX , SHIRLEY	R57-00040	/ 13.0	-	/			
	SW	SE	NEIL , J. M.	57-00069	/	57-00069	/			
	SW	SE	NEIL , J. M.	57-00070	/	57-00070	/			
	SW	SE	COX , SHIRLEY	P57-07267	/ 40.0	P57-07267	/ 40.0			

04S 01E 29	SE	SE	COX , SHIRLEY	A57-00040	/ 18.0	-	/	27.0	28	28
	SE	SE	COX , SHIRLEY	A57-00049	/ 18.0	-	/			
	SE	SE	COX , SHIRLEY	A57-00050	/ 18.0	-	/			
	SE	SE	COX , SHIRLEY	A57-00054	/ 18.0	-	/			
	SE	SE	COX , SHIRLEY	A57-02235	/ 18.0	57-02235	/ 34.0			
	SE	SE	COX , SHIRLEY	R57-00049	/ 18.0	-	/			
	SE	SE	COX , SHIRLEY	R57-00050	/ 18.0	-	/			
	SE	SE	COX , SHIRLEY	R57-00054	/ 18.0	-	/			
	SE	SE	COX , SHIRLEY	R57-02235	/ 18.0	-	/			
	SE	SE	COX , SHIRLEY	R57-00040	/ 28.0	-	/			
	SE	SE	HUNT , CORA MAUDE	57-00040A	/	57-00040A	/			
	SE	SE	NEIL , J. M.	57-00040B	/	57-00040B	/			

04S 01E 27	SW	SW	COX , SHIRLEY	A57-00040	/ 17.0	-	/	16.0	17	17
	SW	SW	COX , SHIRLEY	A57-10558	/ 17.0	-	/			
	SW	SW	COX , SHIRLEY	A57-00049	/ 17.0	-	/			
	SW	SW	COX , SHIRLEY	A57-00050	/ 17.0	-	/			
	SW	SW	COX , SHIRLEY	R57-00040	/ 14.0	-	/			
	SW	SW	COX , SHIRLEY	A57-00054	/ 17.0	-	/			
	SW	SW	COX , SHIRLEY	R57-10558	/ 17.0	-	/			
	SW	SW	COX , SHIRLEY	A57-02235	/ 17.0	-	/			
	SW	SW	COX , SHIRLEY	R57-00049	/ 17.0	-	/			
	SW	SW	COX , SHIRLEY	R57-00050	/ 17.0	-	/			
	SW	SW	COX , SHIRLEY	R57-00054	/ 17.0	-	/			
	SW	SW	COX , SHIRLEY	R57-02235	/ 17.0	-	/			

04S 01E 28	SE	NW	COX , SHIRLEY	A57-00040	/ 2.0	-	/	14.0	1	1
	SE	NW	COX , SHIRLEY	A57-00049	/ 2.0	-	/			
	SE	NW	COX , SHIRLEY	A57-00050	/ 2.0	-	/			
	SE	NW	COX , SHIRLEY	R57-00040	/ 1.0	-	/			
	SE	NW	COX , SHIRLEY	A57-00054	/ 2.0	57-00054	/			
	SE	NW	COX , SHIRLEY	R57-02235	/ 2.0	-	/			
	SE	NW	COX , SHIRLEY	A57-00049	/ 2.0	-	/			
	SE	NW	COX , SHIRLEY	R57-00050	/ 2.0	-	/			

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SE	NW	COX , SHIRLEY	R57-00054	/ 2.0	-	/
SE	NW	COX , SHIRLEY	R57-02235	/ 2.0	-	/
SE	NW	NEIL , J. M.			57-00040B	/
NE	NE	COX , SHIRLEY	A57-00040	/ 6.0	-	/
NE	NE	COX , SHIRLEY	R57-00079	/ 9.0	-	/
NE	NE	COX , SHIRLEY	A57-00049	/ 6.0	57-00049	/
NE	NE	COX , SHIRLEY	A57-00050	/ 6.0	-	/
NE	NE	COX , SHIRLEY	A57-00054	/ 6.0	-	/
NE	NE	COX , SHIRLEY	A57-00055	/ 9.0	-	/
NE	NE	COX , SHIRLEY	A57-00056B	/ 9.0	-	/
NE	NE	COX , SHIRLEY	A57-00072	/ 9.0	-	/
NE	NE	COX , SHIRLEY	A57-00074	/ 9.0	-	/
NE	NE	COX , SHIRLEY	A57-00079	/ 9.0	-	/
NE	NE	COX , SHIRLEY	A57-00081	/ 9.0	-	/
NE	NE	COX , SHIRLEY	R57-00049	/ 6.0	-	/
NE	NE	COX , SHIRLEY	R57-00050	/ 6.0	-	/
NE	NE	COX , SHIRLEY	R57-00054	/ 6.0	-	/
NE	NE	COX , SHIRLEY	R57-00055	/ 9.0	-	/
NE	NE	COX , SHIRLEY	R57-00056B	/ 9.0	-	/
NE	NE	COX , SHIRLEY	R57-00072	/ 9.0	-	/
NE	NE	COX , SHIRLEY	R57-00074	/ 9.0	-	/
NE	NE	COX , SHIRLEY	R57-00081	/ 9.0	-	/
NE	NE	COX , SHIRLEY	R57-00040	/ 13.0	-	/
NE	NE	COX , SHIRLEY	57-07267	/ 35.0	57-07267	/
NE	NE	COX , SHIRLEY	P57-07267	/ 40.0	P57-07267	/

3.0

25.0

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OCT 07 1992

04\$ 01E 29

Covered under
PO #1 for Claim
No. A57-00049

A57-00079	/26.0	COX	SHIRLEY
A57-00081	/26.0	COX	SHIRLEY
R57-00049	/26.0	COX	SHIRLEY
R57-00050	/26.0	COX	SHIRLEY
R57-00054	/26.0	COX	SHIRLEY
R57-00055	/26.0	COX	SHIRLEY
R57-00056B	/26.0	COX	SHIRLEY
R57-00072	/26.0	COX	SHIRLEY
R57-00074	/26.0	COX	SHIRLEY
R57-00079	/26.0	COX	SHIRLEY
R57-00081	/26.0	COX	SHIRLEY
R57-00040	/23.0	COX	SHIRLEY
		COX	SHIRLEY

57-07267 J25.0
P57-07267 J40.0

A57-00040	/ 3.0	-
R57-00079	/ 3.0	-
A57-00049	/ 3.0	57-00049
A57-00050	/ 3.0	-
R57-00040	/ 6.0	-
A57-00054	/ 3.0	-
A57-00055	/ 3.0	-
A57-00058	/ 3.0	-
A57-00072	/ 3.0	-
A57-00074	/ 3.0	-
A57-00079	/ 3.0	-
A57-00081	/ 3.0	-
R57-00050	/ 3.0	-
R57-00054	/ 3.0	-
R57-00055	/ 3.0	-
R57-00058	/ 3.0	-
R57-00072	/ 3.0	-
R57-00074	/ 3.0	-
R57-00049	/ 3.0	-
R57-00081	/ 3.0	-

57-00070 /
57-07267 /17.0
57-07267 /40.0

SE	SW	COX	SHIRLEY	A57-00040	/	4.0	-	/
SE	SW	COX	SHIRLEY	R57-00079	/	4.0	-	/
SE	SW	COX	SHIRLEY	A57-00049	/	4.0	57-00049	/
SE	SW	COX	SHIRLEY	A57-00050	/	4.0	-	/
SE	SW	COX	SHIRLEY	R57-00040	/	3.0	-	/
SE	SW	COX	SHIRLEY	A57-00054	/	4.0	-	/
SE	SW	COX	SHIRLEY	A57-00055	/	4.0	-	/
SE	SW	COX	SHIRLEY	A57-000568	/	4.0	-	/
SE	SW	COX	SHIRLEY	A57-00072	/	4.0	-	/
SE	SW	COX	SHIRLEY	A57-00074	/	4.0	-	/
SE	SW	COX	SHIRLEY	A57-00079	/	4.0	-	/
SE	SW	COX	SHIRLEY	A57-00081	/	4.0	-	/
SE	SW	COX	SHIRLEY	R57-00049	/	4.0	-	/
SE	SW	COX	SHIRLEY	R57-00050	/	4.0	-	/
SE	SW	COX	SHIRLEY	R57-00054	/	4.0	-	/
SE	SW	COX	SHIRLEY	R57-00055	/	4.0	-	/
SE	SW	COX	SHIRLEY	R57-000568	/	4.0	-	/
SE	SW	COX	SHIRLEY	R57-00072	/	4.0	-	/
SE	SW	COX	SHIRLEY	R57-00074	/	4.0	-	/
SE	SW	COX	SHIRLEY	R57-00081	/	4.0	-	/

35.0

04S 01E 29

Same as
above

Cox	Shirley	A57-00040	/ 4.0
Cox	Shirley	R57-00079	/ 4.0
Cox	Shirley	A57-00049	/ 4.0
Cox	Shirley	A57-00050	/ 4.0
Cox	Shirley	A57-00040	/ 3.0
Cox	Shirley	A57-00054	/ 4.0
Cox	Shirley	A57-00095	/ 4.0
Cox	Shirley	A57-000568	/ 4.0
Cox	Shirley	A57-00072	/ 4.0
Cox	Shirley	A57-00074	/ 4.0
Cox	Shirley	R57-00079	/ 4.0
Cox	Shirley	A57-00081	/ 4.0
Cox	Shirley	R57-00048	/ 4.0
Cox	Shirley	R57-00050	/ 4.0
Cox	Shirley	R57-00054	/ 4.0
Cox	Shirley	R57-00055	/ 4.0
Cox	Shirley	R57-000568	/ 4.0
Cox	Shirley	R57-00072	/ 4.0
Cox	Shirley	R57-00074	/ 4.0
Cox	Shirley	R57-00081	/ 4.0

57-00049

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57-00070 /
57-07267 / 5.0
P57-07267 / 40.0

NEIL, J. M.
COX, SHIRLEY
COX, SHIRLEY

SE SW
SE SW
SE SW

196 196

618.00

264.00

A57-00040

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () ☒ NO FROM PD # 2

IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

FIELD EXAMINER

DATABASE Y

DUE TO POU DISCREPANCY? (Y/N)

PRESUMPTION FLAG: ☒ no expansion

REMARKS:

Total acres irrig. from Catherine Creek are 255-13 acres from PD # 3 under 57-00050 & 46 acres from PD # 1 & 196 from under 57-00049. These claims were divided up into one for each division pt., since only said p.d. could irrigate certain lands & all p.d.'s cannot irrigate all the land claimed.

RECOMMENDATIONS:

TOTAL ACRES:

196

REVIEWED BY:

[Signature]

DATE:

10-21-91

MICROFILMED

OCT 07 1992

CLAIM NUMBER: A57-00040

A. AJ CLAIMED USES:

PURPOSES
A57-00040 IRRIGATION
A57-00040 STOCKWATER

MONTH/DAY
FROM 03-01 TO 11-15
FROM 01-01 TO 12-31

DIVERSION QUANTITY
~~8,040 CFS~~ or ~~declared amount~~ (not in amount.)
.240 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

8,040 CFS

B. WR RECORDED USES:

PURPOSES

MONTH/DAY

DIVERSION QUANTITY

TOTAL DIVERSION RATE/VOLUME CLAIMED

PRESUMPTION FLAG:

X no expansion stockwater is still incidental to irrig. explained in remarks in orig. exam.

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

FIELD EXAMINER
DATABASE Y Y Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

REMARKS:

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

Water Resources standards are 3-15 to 11-15 & any earlier or later use of this water will be covered in the general provisions of the decree. Earlier & later water diversions are OK as long as it does not injure others & it will be reconciled with each persons priority, also. Stockwater is ~~not~~ being listed as year round in the uses. **as that would be an expansion of year round. Decree which states it is in conjunction with the irrig. use & does not allow for water a year round diversion. Therefore, the 77 of 1st. 2nd. 3rd. 4th. 5th. 6th. 7th. 8th. 9th. 10th. 11th. 12th. 13th. 14th. 15th. 16th. 17th. 18th. 19th. 20th. 21st. 22nd. 23rd. 24th. 25th. 26th. 27th. 28th. 29th. 30th. 31st. 32nd. 33rd. 34th. 35th. 36th. 37th. 38th. 39th. 40th. 41st. 42nd. 43rd. 44th. 45th. 46th. 47th. 48th. 49th. 50th. 51st. 52nd. 53rd. 54th. 55th. 56th. 57th. 58th. 59th. 60th. 61st. 62nd. 63rd. 64th. 65th. 66th. 67th. 68th. 69th. 70th. 71st. 72nd. 73rd. 74th. 75th. 76th. 77th. 78th. 79th. 80th. 81st. 82nd. 83rd. 84th. 85th. 86th. 87th. 88th. 89th. 90th. 91st. 92nd. 93rd. 94th. 95th. 96th. 97th. 98th. 99th. 100th. 101st. 102nd. 103rd. 104th. 105th. 106th. 107th. 108th. 109th. 110th. 111th. 112th. 113th. 114th. 115th. 116th. 117th. 118th. 119th. 120th. 121st. 122nd. 123rd. 124th. 125th. 126th. 127th. 128th. 129th. 130th. 131st. 132nd. 133rd. 134th. 135th. 136th. 137th. 138th. 139th. 140th. 141st. 142nd. 143rd. 144th. 145th. 146th. 147th. 148th. 149th. 150th. 151st. 152nd. 153rd. 154th. 155th. 156th. 157th. 158th. 159th. 160th. 161st. 162nd. 163rd. 164th. 165th. 166th. 167th. 168th. 169th. 170th. 171st. 172nd. 173rd. 174th. 175th. 176th. 177th. 178th. 179th. 180th. 181st. 182nd. 183rd. 184th. 185th. 186th. 187th. 188th. 189th. 190th. 191st. 192nd. 193rd. 194th. 195th. 196th. 197th. 198th. 199th. 200th. 201st. 202nd. 203rd. 204th. 205th. 206th. 207th. 208th. 209th. 210th. 211st. 212nd. 213rd. 214th. 215th. 216th. 217th. 218th. 219th. 220th. 221st. 222nd. 223rd. 224th. 225th. 226th. 227th. 228th. 229th. 230th. 231st. 232nd. 233rd. 234th. 235th. 236th. 237th. 238th. 239th. 240th. 241st. 242nd. 243rd. 244th. 245th. 246th. 247th. 248th. 249th. 250th. 251st. 252nd. 253rd. 254th. 255th. 256th. 257th. 258th. 259th. 260th. 261st. 262nd. 263rd. 264th. 265th. 266th. 267th. 268th. 269th. 270th. 271st. 272nd. 273rd. 274th. 275th. 276th. 277th. 278th. 279th. 280th. 281st. 282nd. 283rd. 284th. 285th. 286th. 287th. 288th. 289th. 290th. 291st. 292nd. 293rd. 294th. 295th. 296th. 297th. 298th. 299th. 300th. 301st. 302nd. 303rd. 304th. 305th. 306th. 307th. 308th. 309th. 310th. 311st. 312nd. 313rd. 314th. 315th. 316th. 317th. 318th. 319th. 320th. 321st. 322nd. 323rd. 324th. 325th. 326th. 327th. 328th. 329th. 330th. 331st. 332nd. 333rd. 334th. 335th. 336th. 337th. 338th. 339th. 340th. 341st. 342nd. 343rd. 344th. 345th. 346th. 347th. 348th. 349th. 350th. 351st. 352nd. 353rd. 354th. 355th. 356th. 357th. 358th. 359th. 360th. 361st. 362nd. 363rd. 364th. 365th. 366th. 367th. 368th. 369th. 370th. 371st. 372nd. 373rd. 374th. 375th. 376th. 377th. 378th. 379th. 380th. 381st. 382nd. 383rd. 384th. 385th. 386th. 387th. 388th. 389th. 390th. 391st. 392nd. 393rd. 394th. 395th. 396th. 397th. 398th. 399th. 400th. 401st. 402nd. 403rd. 404th. 405th. 406th. 407th. 408th. 409th. 410th. 411st. 412nd. 413rd. 414th. 415th. 416th. 417th. 418th. 419th. 420th. 421st. 422nd. 423rd. 424th. 425th. 426th. 427th. 428th. 429th. 430th. 431st. 432nd. 433rd. 434th. 435th. 436th. 437th. 438th. 439th. 440th. 441st. 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585th. 586th. 587th. 588th. 589th. 590th. 591st. 592nd. 593rd. 594th. 595th. 596th. 597th. 598th. 599th. 600th. 601st. 602nd. 603rd. 604th. 605th. 606th. 607th. 608th. 609th. 610th. 611st. 612nd. 613rd. 614th. 615th. 616th. 617th. 618th. 619th. 620th. 621st. 622nd. 623rd. 624th. 625th. 626th. 627th. 628th. 629th. 630th. 631st. 632nd. 633rd. 634th. 635th. 636th. 637th. 638th. 639th. 640th. 641st. 642nd. 643rd. 644th. 645th. 646th. 647th. 648th. 649th. 650th. 651st. 652nd. 653rd. 654th. 655th. 656th. 657th. 658th. 659th. 660th. 661st. 662nd. 663rd. 664th. 665th. 666th. 667th. 668th. 669th. 670th. 671st. 672nd. 673rd. 674th. 675th. 676th. 677th. 678th. 679th. 680th. 681st. 682nd. 683rd. 684th. 685th. 686th. 687th. 688th. 689th. 690th. 691st. 692nd. 693rd. 694th. 695th. 696th. 697th. 698th. 699th. 700th. 701st. 702nd. 703rd. 704th. 705th. 706th. 707th. 708th. 709th. 710th. 711st. 712nd. 713rd. 714th. 715th. 716th. 717th. 718th. 719th. 720th. 721st. 722nd. 723rd. 724th. 725th. 726th. 727th. 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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

AJ TOTAL CLAIMED DIVERSION RATE:

OUR ROOT RIGHT TOTAL DIVERSION RATE:

8.040 CFS

CFJ

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

*** If an amount smaller than the original diversion rate is claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD

DATABASE EXAMINER

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

Y

FLOW MEASUREMENT

MEASUREMENT METHOD

Mannings FLOW

MEASUREMENT METHOD 11Axxxxx65, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: 57-00049/00050/00054/00055/00056/00001/02235/10558

LIST ALL RIGHTS WITH A SAME POJ AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A57-00040	CATHERINE CREEK	COX , SHIRLEY	8.040	0.030		
A57-00049	CATHERINE CREEK	COX , SHIRLEY	8.040	0.030		
A57-00054	CATHERINE CREEK	COX , SHIRLEY	0.480	0.001		
A57-02235	GROUNDWATER	COX , SHIRLEY	3.560	0.013		
A57-10558	SPRING	COX , SHIRLEY	1.370	0.013		
R57-00049	CATHERINE CREEK	COX , SHIRLEY	8.040	0.030		
R57-00050	CATHERINE CREEK	COX , SHIRLEY	4.200	0.015		
R57-00054	CATHERINE CREEK	COX , SHIRLEY	0.480	0.001		
R57-02235	GROUNDWATER	COX , SHIRLEY	3.560	0.013		
R57-10558	SPRING	COX , SHIRLEY	1.370	0.013		
R57-00079	BROWNS CREEK	COX , SHIRLEY	1.840	0.010		
A57-00055	BROWNS CREEK	COX , SHIRLEY	3.360	0.018		
A57-00056B	HART CREEK	COX , SHIRLEY	6.240	0.052		
A57-00072	BROWNS CREEK	COX , SHIRLEY	0.900	0.004		
A57-00074	BROWNS CREEK	COX , SHIRLEY	1.870	0.010		
A57-00079	BROWNS CREEK	COX , SHIRLEY	1.840	0.010		
A57-00081	BROWNS CREEK	COX , SHIRLEY	1.000	0.005		
R57-00055	BROWNS CREEK	COX , SHIRLEY	3.360	0.018		

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CROSS SECTION NUMBER 1

For File Number 57-00040 for the CATHERINE CREEK

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.80	0.80	1.00
3	1.60	1.60	2.00
4	2.50	2.50	3.00
5	1.25	1.25	4.00
6	0.00	0.00	5.00

The area for this cross section is 6.15 square feet
and the wetted perimeter is 7.11 feet.

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OCT 07 1992

MANNING EQUATION CHANNEL CAPACITY RESULTS

08-30-1980

File Number: 57-00040

Claimant: SHIRLEY COX

Channel measured: CATHERINE CREEK

Date of measurement: 11-12-91

Measurement location:

P.D. #2

Calculation prepared by: JAN SHURTE

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is %5000 feet.

The upstream and downstream rod readings are %2625 and %2675 feet.

The channel cross section is 6.15 ft-sq.

The wetted perimeter is 7.11 feet.

The hydraulic radius is 0.87 feet.

The slope is 0.0100

The roughness coefficient is 0.0400

The flow velocity is 3.382 ft/sec.

The rate of flow is 20.80 cfs.

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OCT 07 1992

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A57-00081	BROWNS CREEK	COX, SHIRLEY	1.000	0.005		
R57-00081	BROWNS CREEK	COX, SHIRLEY	1.000	0.005		
A57-02235	GROUNDWATER	COX, SHIRLEY	3.560	0.013		
R57-02235	GROUNDWATER	COX, SHIRLEY	3.560	0.015	1165.00	5.00
R57-10558	SPRING	COX, SHIRLEY	1.370	0.016		
A57-10558	SPRING	COX, SHIRLEY	1.370	0.013		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 196 x 0.02 CFS/ACRE = 3.92 CFS
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 924.0 AF/A

ACRES 196 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =

TOTAL CONSUMPTIVE USE 686 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = N/A AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y () N ()

1b. CALCULATIONS

attached
→ Excessive flow sheet
Completed & calculated
.035 cfs per acre at 33%
efficiency. Therefore, 196 acres
x .035 cfs = 6.86 cfs plus a
ditch loss of 1.5 cfs was
calculated, however, the orig.
decree st. for 00040 allows 8.04
cfs, which minus the 6.86
leaves 1.18 cfs for max. ditch
loss. Note: Orig. decree had
a duty of water of 3"/acre for
this land - with ditch loss this
still only calculates at .04 cfs
per acre, or 2" per acre.

IRRIGATION FLOW RATE QUESTIONNAIRE

THIS INFORMATION IS REQUIRED FOR ANY ADJUDICATION CLAIM(S) FOR WHICH THE IRRIGATION FLOW RATE CLAIMED IS MORE THAN 0.02 CFS PER ACRE (ONE EXCEPTION IS THAT 0.03 CFS PER ACRE MAY BE ALLOWED FOR IRRIGATION OF UP TO 5 ACRES).

CLAIM NO(S). A57-00040, 00049, 00050 - CATHERINE CK.

NAME SHIRLEY COX

ADDRESS _____

PHONE _____

1. TOTAL IRRIGATED ACRES SHOWN ON CLAIM(S) REFERENCED ABOVE 250 ACRES.

2. SHOW THE NUMBER OF ACRES OF CROPS GROWN FOR YOUR IRRIGATION SYSTEM(S) DURING A TYPICAL SEASON

	Border	Furrow	Corrugation	Sprinkler	Contour Ditch	Other
Alfalfa						250
Beans						
Field Corn						
Silage						
Spring Grain						
Winter Wheat						
Orchard						
Pasture						
Potatoes						
Sugar Beets						
Other						

PLEASE COMPLETE ITEMS 3 THROUGH 8 FOR EACH OF THE IRRIGATION SYSTEM TYPES SPECIFIED ABOVE

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INSTRUCTIONS FOR IRRIGATION FLOW RATE QUESTIONNAIRE

The information required in this questionnaire will describe your water delivery system and irrigation methods. This information is essential in order for staff of IDWR to evaluate your irrigation water requirements. Much of the information is technical, and you may wish to contact the Soil Conservation Service or other professionals for assistance with this form.

Please provide your name, address, and phone number where you may be contacted for further information or clarification. Include the claim number(s) for those claims where the irrigation flow rate is more than 0.02 cfs (1 miner's inch) per acre.

1. provide the total number of acres irrigated for the claims listed.
2. provide a breakdown in acres of the types of crops grown in a typical irrigation season for each of your irrigation system types.

Items 3 through 8 must be completed for each of the irrigation system types you specified in item 2. This information must be completed as accurately as possible. All information must be based on peak water use during the irrigation season.

inflow -

this is the flow of water applied to an individual furrow, border, ditch, etc.; proper evaluation requires good accuracy

spacing or width -

this is the distance between individual furrows, border ridges, sprinkler laterals, etc.

length -

this is the maximum length of run of furrows, corrugations, borders etc.

field slope -

this is the slope of the field in the direction of the run of furrows, borders, etc.; specify in percent or give units if specified otherwise

set time -

this is the number of hours that water is applied during an irrigation set

frequency -

this is the number of days between irrigation start times of the same set of furrows or border(s) etc.

9. complete the appropriate items for the main ditch from the point of diversion to the farm; if this ditch is shared by other water users a more complete description of the system will be required

Items 10, 11, 12, and 13 see questionnaire.

3.

BORDER (COMPLETE BELOW BASED ON PEAK USE)

inflow to border (cfs)	border width (feet)	border length (feet)
field slope (%)	set time (hours)	number of borders per set
frequency (days)		

4.

FURROW (COMPLETE BELOW BASED ON PEAK USE)

inflow to furrow (gpm)	furrow spacing (inches)	furrow length (feet)
field slope (%)	set time (hours)	number of furrows per set
frequency (days)		

5.

CORRUGATION (COMPLETE BELOW BASED ON PEAK USE)

inflow to corr. (gpm)	corr. spacing (inches)	corr. length (feet)
field slope (%)	set time (hours)	number of corrugations per set
frequency (days)		

6.

SPRINKLER (COMPLETE BELOW BASED ON PEAK USE)

average nozzle flow (gpm)	nozzle spacing (feet)
lateral length (feet)	lateral spacing (feet)
number of laterals per set	set time (hrs.)
frequency (days)	

7.

CONTOUR DITCH (COMPLETE BELOW BASED ON PEAK USE)

inflow to ditch (cfs)	field slope (%)
ditch length (feet)	distance between ditches (feet)
number of ditches per set	set time (hours)
frequency (days)	

8. OTHER IRRIGATION SYSTEM TYPE (specify)
(COMPLETE BELOW BASED ON PEAK USE)

FLOOD IRRIGATION VIA GRAVITY FLOW

inflow (cfs)

15 (3" PER ACRE / 250 ACRES)
PER DECREE (MAK.)AVE. FIELD - 16 ACRES
total area irrigated per set (acres)

field slope (%)

.01

12 HOURS

set time (hrs.)

frequency (days)

ONCE EVERY 45 DAYS

1ST IRR. - 1ST OF MARCH
2ND IRR. - END OF APRIL
CUT HAY - END OF MAY
3RD IRR. - MID JUNE
CUT HAY - JUNE
4TH IRR. - AUGUST

9. CONVEYANCE FROM SOURCE TO FARM

UNLINED DITCH-SPECIFY SOIL TYPE SEE ATTACHED DITCH LOSS CALCS.

length (feet) _____ ave. depth from land surface (Inches) _____ ave. top width of water surface (Inches) _____

LINED DITCH-SPECIFY TYPE OF LINING _____

length (feet) _____ ave. depth from land surface (Inches) _____ ave. top width of water surface (Inches) _____

PIPELINE

length (feet) _____ diameter (Inches) _____

IS THIS CONVEYANCE SYSTEM SHARED BY OTHER WATER USERS? NO
IF YES, PLEASE DESCRIBE OR SKETCH THE SYSTEM SHOWING THE NUMBER OF WATER USERS, LOCATION OF HEADGATES, LENGTHS ETC.

57-00040

ROBERT WIRSTEAL
BASED ON SOUTHERN
IDAHO JOINS.

ESTIMATING CONVEYANCE LOSS

Formula:

$$S = (W)(i)(0.0667)$$

where:

S is loss in cfs per mile

W is the top width of the high water mark in feet

i is the loss rate in feet per day (see Table)

0.0667 is a factor used to convert to cfs per mile

Table:

Type of soil	Loss rate i (ft/day)
medium clay loam	0.5 to 1.5
impervious clay	0.5
medium soils	1.0
somewhat pervious soils	1.5 to 2.0
gravel	2.5 to 5.0

DITCH SIZE

5' WIDE

30" DEEP

Worksheet:

$$S = (5.0 \text{ ft})(2.0 \text{ ft/day})(0.0667)$$

$$S = .67 \text{ cfs/mi}$$

$$\text{Conveyance loss} = (S)(\text{length of ditch in miles})$$

$$\text{Conveyance loss} = (.67 \text{ cfs/mi})(2.25 \text{ mi})$$

$$\text{Conveyance loss} = 1.5 \text{ cfs}$$

LIMITED BY DECREASE (PREVIOUS) TO 1.18 CFS + 6.86 CFS FOR IRRIG
= 8.04 CFS - TOTAL OF ORIG. DECREASD RT.

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SNAKE RIVER ADJUDICATION SOIL PROFILES

TECH: _____

DATE: _____

SOIL: SAMPLE		
DEPTH	AVAILABLE WATER	
0	0.12	0
12		1.44
14	0.04	1.68
24		2.08
36		2.56
48		3.04
60		3.52

SOIL:		
DEPTH	AVAILABLE WATER	
INCHES	IN/IN	INCHES

TECH: JS

DATE: _____

SOIL: MAZUMA		
DEPTH	AVAILABLE WATER	
INCHES	IN/IN	INCHES
0	.125	0
12		1.5
16	.115	2.0
24		2.92
36		4.3
40	.13	4.76
48		5.8
60		7.36

MAZUMA

SOIL:		
DEPTH	AVAILABLE WATER	
INCHES	IN/IN	INCHES

TECH: _____

DATE: _____

SOIL:		
DEPTH	AVAILABLE WATER	
INCHES	IN/IN	INCHES

SOIL:		
DEPTH	AVAILABLE WATER	
INCHES	IN/IN	INCHES

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SNAKE RIVER ADJUDICATION
 SOIL PROPERTIES

TECH: JAN SHURTE

DATE: 11-13-91

[illegible]

SNAKE RIVER ADJUDICATION MANAGEMENT ALLOWED DEFICIT

TECH: JSNAME: S. CoxDATE: 11-13-91ID. NO. CATHERINE
CLERK

CROP			MANAGEMENT ALLOWED DEFICIT IN INCHES BY SOILS										
NAME	ROOTING DEPTH FT.	STRESS POINT 1/4	WEATHER STATION										
ALFH.	5	0.50	7.36										
ALFS.	5	0.50	273.108										
BEANS	2	0.40											
F.CRN	4	0.50											
SILGE	4	0.50											
S.CRN	3	0.40											
PEAS	3	0.5											
POTAT	3	0.35											
SBEET	5	0.50											
SGRAN	4	0.50											
WGRAN	4	0.50											
PAST.	3	0.50											
ORCHD	5	0.5											
HOPS	5	0.5											
LENTILS	3	0.5											
VEGES USE BELOW													
TOMAT	5	0.5											
TRCKA\1	1	0.35											
TRCKA\2	2	0.35											
TRCKA\3	3	0.5											
MELON	5	0.5											

\1 LETTUCE, RADISHES, ONIONS

\3 TURNIPS, PARSNIPS, CARROTS

\2 CABBAGE, BROCCOLI, CAULIFLOWER, SPINACH

\4 FRACTION OF AWC READILY AVAILABLE TO CROP

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CATHERINE CK.

MAZUMA - 250 AC - 12 HRS (EA. 16 ACRE FIELD)
NIA = 3.68"

$$GIA = \frac{43,200 \times 15 \text{ CFS} \times 187.5 \text{ HRS}}{250 \text{ AC} \times 43,560}$$

3"/AC/250AC
← REQUIRED DUTY OF
H₂O

$$GIA = 11.2"$$

$$IE = \frac{3.68"}{11.2"} = 33\%$$

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OCT 07 1992

DATE: 4-13-91

ID NO. CATHOLIC

NET IRRIGATION REQUIREMENT

[illegible]

SUMMARY

OCT 07 1992

LARGEST SUMMARY MONTHLY VALUE 6.99, DIVIDE BY SUMMARY IRR. EFF. = 21.18 MM/DAY, MULTIPLY BY 0.001657 = .035 CFS/ACRE FIELD
 REQUIREMENT, ADD FARM APPLICATION LOSS N/A CFS/AC. = — CFS/AC., MULTIPLY BY SUMMARY ACRES = 8.25 CFS FIELD REQUIREMENT. ADD
 CONVENIENCE LOSS OF = 3.1 CFS = 11.85 CFS DIVERSION REQUIREMENT. DIVIDE BY SUMMARY ACRES TO CHECK CFS/ACRE = .047 AT THE DIVERSION PO

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

*See pp. 17, Part B Remarks for explanation
of standards/conditions*

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	3-15-11-15 ~~3-15-4-15~~	8.04	N/A	686
STOCKWATER	1-1-12-31	.24	N/A	N/A
		8.04	N/A	686

TOTAL FOR THIS RIGHT

[Signature]

REVIEWED BY: DATE: 11-27-91

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OCT 07 1992

**NEEDS
REVIEW**

~~with enclosed~~

SYSTEM DESCRIPTION ATTACHMENT TO CLAIM VERIFICATION REPORT

CLAIM NO. A57-00040

Water is diverted ^{from Catherine Creek} at the same pt. of injection for the well water under A57-02235. Well water is injected into Catherine Creek & both rights are diverted from this ditch in the SESE SW, S. 29, T 45 R 1E. Ditch is approx. 5' wide and 30" deep. Mannings calculation figures the ditch can carry 30.8 Cfs. This right is 8.04 Cfs plus A57-02235 is 3.56 Cfs for a total of 11.6 Cfs - ditch can easily carry this total flow. Gravity flow thru ditch for flood irrigation. Spring water under A57-10558 flows into the ditch in the NWSW, S. 28 & combines with this well water ^{the} Catherine Cr. water to irrigate all of the 233 acres. Irrigation occurs by canvas dams & corrugates (some) mainly flood irrigation.



PT. OF DIV. #2 - CATHERINE CR.
A57-00040 - INCLUDES HOT WELL
WATER UNDER 57-02235.

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OVERLAP ANALYSIS FOR 57-00040-CATHERINE 57-2235-GROUNDWATER 57-10558-SPRING

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE						
57-																						
CATHERINE CK. A.D. # 2	00040	45	1E	27									3	18	14	1					36	
REC. AT .035 CFS/AC X 196 = 6.86 CFS + 1.18 CFS DITCH LOSS = 2.04 CFS TOTAL				28								1	34	16	5	3	7	5	17	18	106	
				29													12	1	13	28	54	
																	TOTAL -				196	

GROUNDWATER SOURCE REC. AT APPROX .01 CFS/AC FOR 3.56 CFS. NO DITCH LOSS CALC. SOURCE WATER RT. NOT LARGE ENOUGH.	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE						
57-																						
02235	45	1E	27										3	18	14	1					36	
				28								3	1	34	29	5	3	7	5	17	18	122
				29													29	9	13	28	79	
																	TOTAL -				233	

SPRING SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE						
57-																						
REC. AT .016 CFS/AC FOR A TOTAL OF 1.37 CFS. NO DITCH LOSS CALC.	10558	45	1E	27									3	18	14	1					36	
				28									1		3	7	3	17	18		49	
																	TOTAL				85	

TOTAL ACRES UNDER ALL OF THE ABOVE RIGHTS	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE						
		45	1E	27									3	18	14	1					36	
				28								3	1	34	29	5	3	7	5	17	18	122
				29													29	9	13	28	79	
																	TOTAL -				233	

NOT FILMED
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WHEN COMBINED MAX. DIV. RATE TOTAL CATHERINE CK. TOTAL REMAINING ACRES AT 1" PER ACRE

$$196 \times .035 = 6.86 \text{ CFS} + 41 \times .02 = .82 \text{ CFS} = 7.68 + 1.18 \text{ CFS} = 8.86 \text{ CFS LIMITED ON TOTAL DIV. RATE WHEN ALL RTS. ARE COMBINED}$$

ACRES CFS/AC ACRES CFS/AC TOTAL CFS DITCH LOSS

