

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

RIGHT NUMBER: 65-3116

NAME AND ADDRESS: ROSEBERRY IRRIGATION DIST
PO BOX 366
DONNELLY ID 83615

ROSEBERRY IRRIGATION DIST
C/O JOE ELD
2554 E ROSEBERRY
MC CALL ID 83638

SOURCE: BOULDER CREEK

TRIBUTARY: NORTH FORK PAYETTE RIVER

QUANTITY: 48.720 CFS

PRIORITY DATE: 01/12/1917

POINT OF DIVERSION:

T17N R03E S13 NWSE Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/15 10/15	48.720 CFS

PLACE OF USE:

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2826 ACRES WITHIN THE BOUNDARIES OF THE ROSEBERRY IRRIGATION DISTRICT IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-03114, 65-03115, 65-02585.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2,719 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977.

This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.

EXPLANATORY MATERIAL: Decreed

RECEIVED

OCT - 2 2002

Department of Water Resources

2002 OCT - 1 PM 3: 27

FILED
TWIN FALLS CO., IDAHO
T-SRBA

**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

) **Subcases: 65-03114, 65-03115 & 65-03116**
) **(Roseberry Irrigation Dist.)**
)
) **ORDER DENYING MOTION TO**
) **CORRECT CLERICAL ERRORS**
) **PURSUANT TO I.R.C.P. 60(a) BUT**
) **ALLOWING PRIOR DECREE TO BE**
) **SUPPLEMENTED WITH EVIDENCE ON**
FINDINGS OF AMBIGUITY; and
ORDER SETTING TELEPHONE
STATUS CONFERENCE

I.

PROCEDURAL BACKGROUND

This matter came before this Special Master pursuant to a *Motion to Correct Clerical Mistakes in Judgment Pursuant to I.R.C.P. 60(a)*, filed on behalf of Roseberry Irrigation District (Roseberry), claimant of the above-captioned water rights. Water right 65-03115 was previously decreed in a private adjudication, subsequently in the Payette River Adjudication (Payette Adjudication), and is now being claimed in the SRBA. Roseberry asserts that water right 65-03115 was claimed and ultimately decreed in the Payette Adjudication with the incorrect priority date. Roseberry also contends that the incorrect amount of irrigated acreage for the place of use was decreed in the Payette Adjudication for combined water rights 65-03114, 65-03115 and 65-03116. Roseberry seeks to have these alleged errors treated as clerical errors and the Payette Decree corrected pursuant to I.R.C.P. 60(a). Objectors Black Canyon Irrigation District and the United States each filed a memorandum in opposition.

II. FACTUAL BACKGROUND

1. Roseberry filed claims in the SRBA for water rights 65-03114, 65-03115 and 65-03116. Water right 65-03115 is a storage right for irrigation from Boulder Lake Reservoir. Boulder Lake Reservoir is fed by Boulder Creek. Water rights 65-03114 and 65-03116 are irrigation rights. On January 12, 1917, Roseberry filed a permit application with the state engineer for approval of the construction of Boulder Lake Reservoir and for an accompanying storage right. The application was approved January 20, 1917, and was made contingent on the completion of the project by January 20, 1920, and the beneficial use of the water made by January 20, 1922. The permit also indicated that the total amount of land to be irrigated was 2915.27 acres.
2. In 1925, Roseberry filed an action in state district court to have water rights on the Boulder Creek source adjudicated in order to have Roseberry's water rights confirmed. A decree was issued in 1926 in *Roseberry Irr. Dist. v. Shaw et al. (Shaw Decree)*, which decreed to Roseberry a water right for storage in Boulder Lake Reservoir for purposes of irrigation with a January 12, 1917, priority date. This right was later designated as 65-03115. The *Shaw Decree* also decreed the irrigation rights later designated as 65-03114 and 65-03116. Water right 65-03114 was decreed with a June 25, 1902, priority date and 65-03116 was decreed with a January 12, 1917, priority date. The priority dates for these two rights are not at issue. The place of use decreed for all three rights was 2990 acres of irrigable lands located within the boundaries of the district.
3. The Payette Adjudication, which was an adjudication of all surface and groundwater of the Payette River drainage, was commenced on November 12, 1969. On May 19, 1971, Roseberry filed claims in the Payette Adjudication for water rights 65-03114, 65-03115 and 65-03116. The *Notice of Claim* filed for 65-03115 claims a September 6, 1949, priority date in the line item for priority date. However, in the same *Notice of Claim*, the line item describing the basis for the claim refers to the *Roseberry v. Shaw*, decree.

4. The *Notices of Claim* for 65-03114, 65-03115 and 65-03116 contain a line item containing a table or grid indicating the number of acreage claimed within each $\frac{1}{4}$ section of the irrigation district for purposes of describing the place of use. The figures contained in the table in each of the three *Notices of Claim* are identical so as to describe a combined place of use and total number of acres for the three rights. In each of the three tables the total number of acres originally indicated in type is 2787. However, the 2787 is crossed out and replaced with a handwritten interlineation of 2679 and a notation to "see attachment" for the acreage. The attachment is a similar table but containing different acreage values in some of the columns. The total number of acres indicated in the table is the 2679 acres. See Exhibit E5 to *Affidavit of Dana L. Hofstetter*. In that same table, the total acreage for the place of use within Township 16N, Range 3E, section 11, indicates a total of 443 acres. However, in adding the figures contained in the row for section 11, the correct addition total should be 483 acres. Hence, the total combined acres should have read 2719 total acres not 2679 total acres.

5. On March 2, 1979, the Idaho Department of Water Resources issued a *Proposed Finding of Water Right* (essentially a director's report) for water rights 65-03114, 65-03115 and 65-03116. The *Proposed Finding* for water right 65-03115 recommended a May 6, 1949, priority date. The *Proposed Finding* also indicated that the basis for the right was a prior decree. The *Proposed Findings* for the combined total acreage for the place of use for all three rights recommended the 2679 total acres. Roseberry did not contest any of these *Proposed Findings*. On January 21, 1986, a partial decree was entered in the Payette Adjudication adopting the uncontested portions of IDWR's *Proposed Findings* and decreeing the three water rights as proposed. Roseberry also did not contest the partial decree.

6. In 1988, Robert M. Keyes, the former water master from 1954 to 1980 responsible for administering Roseberry's water rights, and former secretary for water districts 20-K and 65-D from 1954 to 1988, which included Roseberry's water rights, executed an affidavit stating that during Mr. Keyes' tenure the storage right from Boulder Lake had always been administered according to the January 12, 1917, priority date as contained in the July 7, 1926, *Shaw* decree. See Exhibit F to *Affidavit of Dana L.*

Hofstetter. The record does not indicate whether or not the affidavit was ever actually filed with the Payette or SRBA Courts or IDWR.

7. Prior to the completion of the Payette Adjudication, on November 19, 1987, the SRBA was commenced. Consistent with the commencement, all parties to the Payette Adjudication were required to re-file new claims in the SRBA. Although the commencement of the SRBA in fact subsumed the Payette Adjudication, a formal order consolidating the Payette Adjudication with the SRBA was not issued until February 8, 2001.

8. On December 27, 1988, Roseberry filed respective claims in the SRBA for water rights 65-03114, 65-03115 and 65-03116. For water right 65-03115 Roseberry claimed the January 12, 1917, priority date. IDWR issued a director's report for 65-03115 initially recommending the January 12, 1917, priority date. However, IDWR later corrected its recommendation to reflect the May 6, 1949, priority date based on the partial decree issued in the Payette Adjudication. With respect to the combined acreage for the three water rights IDWR recommended the 2679 acres as the place of use for the three water rights.

III. APPLICABLE LAW, DISCUSSION AND FINDINGS

Roseberry now seeks to have these alleged errors treated as clerical errors and the partial decrees issued in the Payette Adjudication corrected pursuant to I.R.C.P. 60(a). Both objectors, Black Canyon Irrigation District and the United States, withdrew their opposition to amending the Payette Adjudication Partial Decree relative to the acreage calculation but not to amending the priority date. I.R.C.P. 60(a) allows a court to correct clerical mistakes in judgments arising from oversight or omission upon the court's motion or upon motion of any party at any time. Pursuant to the order consolidating the Payette Adjudication with the SRBA, the SRBA would be the proper forum for correcting the Payette Decree. However, it is the opinion of this Special Master that correcting the Payette Decree is not the appropriate remedy. Rather, the issue is whether Roseberry is permitted to collaterally attack the prior decree in conjunction with proving the elements of the subject water rights in the SRBA proceedings.

In the SRBA, a prior decree entered in a private adjudication provides proof of the nature and extent of the water right. However, it does not provide conclusive proof. I.C. § 42-1401A(9); *State v. Hagerman Water Right Owners*, 130 Idaho 736, 742, 947 P.2d 409, 414. ¹ First, a prior decree is binding only upon those parties, or their successors-in-interest, to the prior decree. *Hagerman Water Right Owners*, at 742, 947 P.2d at 414. Thus, parties or their successors to the prior private adjudication are bound by principles of *res judicata* and are precluded from collaterally attacking the prior decree. However, parties to the SRBA who were not previously parties or privies to the prior action are not bound by the prior decree. *Id.* Second, previously, decreed rights are not insulated from loss or reduction based on forfeiture or other related concepts. *Id.* at 741, 947 P.2d at 413 (string citations omitted). Lastly, prior decrees introduced as proof of a water right in the SRBA are frequently vague or ambiguous.

Examples of vagueness can include the situation where the intended meaning of the use of a term cannot be ascertained from the face of the document or the situation where the older decree did not include all the elements of a water right that are now required by statute. Examples of ambiguous decrees occur where the use of a term has more than one meaning or where internal inconsistencies exist in the decree. In the situation where a prior decree is determined to be vague or ambiguous, the practice in the SRBA has been to allow parties to introduce evidence to supplement the decree, explain the ambiguity or assist the court with interpreting the prior decree in conjunction with proving up the water right claim in the SRBA as opposed to going back and amending the prior decree either through I.R.C.P. 60(a) or 60(b). In *SRBA Case No. 39576*, subcase nos. 36-00003A *et al.* (Nov. 23, 1999), the SRBA District Court addressed the issue of the meaning of the "other purposes" language contained in the *New International Decree*. The issue was whether the phrase "other purposes" included a purpose of use for fish propagation. The SRBA District Court ruled that the *Decree* was vague and internally inconsistent with respect to the purpose of use and allowed the claimant to put on evidence to supplement the decree and show the purpose of use at the time the decree was entered. This practice is consistent with the Supreme Court's analysis that a decree in a

¹ Although the Payette Adjudication was commenced as, and had the attributes of a general adjudication as opposed to a private adjudication, because the Payette Adjudication was never completed it meets the statutory definition of a private adjudication. I.C. § 42-1401A.

prior adjudication is not conclusive proof of the nature and extent of a water right. *Hagerman Water Right Owners*, at 741, 947 P.2d at 413. This practice is also consistent with the exception to the general rule permitting a collateral attack on a prior judgment where the judgment is determined to be ambiguous. See 46 AM JUR 2d JUDGMENTS § 93 (general rule does not prohibit collateral attack on judgment where incomplete or ambiguous on face). Finally, this practice is consistent with the procedure set for the by the Idaho legislature with respect to supplementing vague decrees under the amnesty statute I.C. § 42-1427 which allows water rights based on existing decrees containing undefined elements to be reported by IDWR based on the use at the time of the commencement of the SRBA. In this regard, evidence is required to supplement the prior decree.

Although I.R.C.P. 60(a) permits a decree to be amended at any time, there are a couple of problems with amending a prior decree that serves as the basis for a claim in the SRBA. A prior decree in a private adjudication is proof of the existence of the water right but it is not conclusive proof. This is because the decree is only binding on the parties or their privies to the prior action but not on all parties to the SRBA. Therefore the significance of the prior decree in the SRBA is essentially that of evidence of the existence of the water right. Thus it makes little sense to expend the effort to hold collateral or separate proceedings for purposes of going back and amending a prior decree the purpose of which is to provide evidence of a water right in the SRBA proceedings. Additionally, it is not always obvious from the face of a decree or related pleadings that an alleged discrepancy or error was necessarily the result of a clerical error. As a result, wide latitude may be required from the SRBA Court to allow an error to be treated as a clerical error under I.R.C.P.60(a). For example, in the instant case water right 65-03115 was claimed in the Payette Adjudication with a 1949 priority date, reported by IDWR with a 1949 priority date and decreed with a 1949 priority date, that is now asserted in the SRBA to be incorrect. While the alleged error may in fact have been the result of a clerical error there may be other equally plausible explanations. Because its not obvious from the face of the decree or related pleadings that the error was the result of a clerical error, extraneous evidence is required in order to demonstrate why the claimed priority date was not the priority date intended to be claimed. In contrast, the

alleged clerical error with respect to the total acreage in this case is at least apparent from the face of the claim. Where the alleged clerical error is not readily apparent and leads to an ambiguity in the decree, rather than stretch the application of I.R.C.P. 60(a) and amend the prior decree, the appropriate solution is to allow the prior decree to be collaterally attacked for purposes of explaining the ambiguity in conjunction with proving the claimed water right in the SRBA.

The difference with this approach is the allocation of the benefit of the presumption created by the director's report. IDWR based its recommendation on the prior decree. If the Court corrects the prior decree IDWR will have to amend its recommendation in accordance therewith. The claimant then gets the benefit of the presumption. If on the other hand the claimant is instead allowed to collaterally attack the prior decree for purposes of demonstrating an error the claimant must overcome the presumption in proving the water right. However, given the fact that the water right went through a full prior adjudication process it makes more sense require the claimant to overcome the presumption by collaterally attacking the decree and proving up the water right, as opposed to the court merely accepting the representations of counsel that the alleged discrepancy was the result of a clerical error. In this regard the Court can make appropriate findings regarding any errors.

To summarize, unless it is unequivocal from the face of the prior decree or related pleadings that an alleged error contained in a prior decree is a clerical error this Special Master declines to proceed under I.R.C.P. 60(a). However, when a clerical error is apparent the practice is not to go back and amend the prior decree but rather recommend the water right based on the prior decree and the finding of a clerical error. Where the alleged error is not unequivocally the result of a clerical error and upon the finding of an ambiguity or inconsistency, this Special Master will allow the prior decree to be supplemented with additional evidence for purposes of explaining the alleged error and recommending the right taking the correction into account based on a satisfactory showing. This procedure not only provides for the consistent application of I.R.C.P. 60(a) but also allows the claimant the opportunity to put on evidence and explain an error in a prior decree so as not to be bound in the SRBA by what may ultimately be determined to be an error.

In the instant case, this Special Master finds that the partial decree entered in the Payette Adjudication for water right 65-03115 is ambiguous with respect to the priority date. The partial decree decrees a September 6, 1949 priority date but indicates a prior (*Shaw*) decree as the basis for the decree. The *Shaw Decree* decreed a 1917 priority date. IDWR's *Proposed Findings* recommend a 1949 priority date but also references the prior decree as the basis for the recommendation. The *Notice of Claim* filed for 65-03115 claims a September 6, 1949, priority date but also describes the *Shaw Decree* as the basis for the claim. This Special Master finds that the partial decrees entered for water rights 65-03114, 65-03115 and 65-03116 contain an error or inconsistency with respect to the total irrigated acreage, which is obvious from the face of the claims. In addition, the objections to treating this as a clerical error were withdrawn.

VI. ORDER

Based on the foregoing, this Special Master declines to recommend that the alleged clerical errors in the partial decree issued in the Payette Adjudication be corrected. However, based on the finding of ambiguity, this Special Master will permit Roseberry to supplement the record with evidence with respect to the priority date in water right claim 65-03115, for purposes of demonstrating the priority date alleged to be correct. Based on the finding of clerical error, this Special Master will also recommend that the 2719 total acres as opposed to the 2679 total acres be reflected in the respective partial decrees. ✱

IT IS ORDERED that a Telephone Status Conference is set for October 10, 2002, at 3:00 pm. Parties may participate by telephone by calling 1-225-383-1099 and entering a participation code of 675342.

DATED October 1, 2002.



Thomas R. Cushman
Special Master for the Snake
River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER DENYING MOTION TO CORRECT CLERICAL ERRORS PURSUANT TO I.R.C.P. 60(a) BUT ALLOWING PRIOR DECRE TO BE SUPPLEMENTED WITH EVIDENCE ON FINDINGS OF AMBIGUITY; and ORDER SETTING TELEPHONE STATUS CONFERENCE was mailed on October 1, 2002, with sufficient first-class postage prepaid to the following:

Director of IDWR
PO Box 83720
Boise, ID 83720-0099

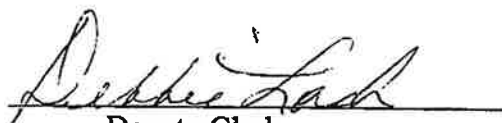
United States Department of Justice
550 West Fort Street, MSC 033
Boise, Idaho 83724

Charles F Mc Devitt
P O Box 2564
Boise, Idaho 83701

Dana L Hofstetter
608 West Franklin Rd
Boise, Idaho 83702

Office of the Attorney General
P O Box 44449
Boise, Idaho 83711-4449

Joe Eld
2554 E Roseberry
Mc Call, Idaho 83638


Deputy Clerk



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 27, 2001

ROSEBERRY IRRIGATION DISTRICT
PO BOX 366
DONNELLY ID 83615

RE: Water Right No. 65-02585, 65-03114, 65-03115 & 65-03116

Dear Property Owner(s):

Enclosed are copies of the above referenced water rights, which reflect the change in address. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

Thank you for your patience and cooperation. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB:db

Enclosures

cc: Joe Eld
Beeman & Hofstetter, P.C.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 27, 2001

JOE ELD
2554 E ROSEBERRY
MC CALL ID 83638

RE: Water Right No. 65-02585, 65-03114, 65-03115 & 65-03116

Dear Property Owner(s):

Enclosed are copies of the above referenced water rights, which reflect the change in address. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

Thank you for your patience and cooperation. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington". The signature is written in dark ink and is positioned above the typed name and title.

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB:db

Enclosures

cc: Roseberry Irrigation District
Beeman & Hofstetter, P.C.

- D. I am responding to the objections to the following elements. (Please check the appropriate box(es).)
1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.
 2. ☐ Source: I respond to the objection concerning the source of water.
 3. ☐ Quantity: I respond to the objection concerning:
 - a. ☐ The total quantity of water used in cubic feet per second; or
 - b. ☐ The total quantity of water stored in acre feet per year; or
 - c. ☐ The total quantity of water reserved for each and every purpose, including all present and future uses.
 4. ☐ Priority Date: I respond to the objection concerning the priority date.
 5. ☐ Point(s) of Diversion: I respond to the objection concerning the legal description of the point(s) of diversion.
 6. ☐ Instream Flow Description: I respond to the objection concerning the legal description of the beginning and ending points of the instream flow.
 7. ☐ Purpose(s) of Use: I respond to the objection concerning the purpose(s) of use.
 8. ☐ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
 9. ☐ Place of Use: I respond to the objection concerning:
 - a. ☐ The legal description of the place of use; or
 - b. ☒ The number of irrigated acres within the boundaries of the irrigation district.
 10. ☐ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.
 11. ☐ Water Right Recommendation: I respond to the objection concerning:
 - a. ☐ This water rights should not exit.
 - b. ☐ This water right was not recommended, but should be recommended with the elements described above.
 12. ☐ Description of Reservation: I respond to the objection concerning the legal description of the reservation.

13. ☐ Other: I respond to : _____

E. **REASONS SUPPORTING EACH BOX CHECKED**

You must state the reason(s), by number, for each box checked. You may use additional pages if necessary.

Box #9. This is a protective response on the part of the Bureau of Reclamation to Eastern Western's objection. The Bureau of Reclamation concurs with the recommendation made by the director in the amended Director's Report of December 20, 2000 in this subcase.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

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

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

F. VERIFICATION (Must be Completed)

State of Idaho)
County of Ada)

Jerrold D. Gregg, duly sworn, upon oath, deposes and says: _____
(Name of person filing response)

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

(Signature of person filing response)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

2-21-01

Notary Public for the State of Idaho

Residing at: Meridian, Idaho

My Commission Expires on: January 16, 2002



G.

CERTIFICATE OF MAILING

I certify that on February 21, 2001, I mailed the original and copies of this objection, including all attachments, postage prepaid, to the following persons:

1. Original to:

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

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

Name: Eastern Western Corp.
Address: PO Box 3228
Portland OR 97208-3228

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney at the following address:

Name: Ms Dana L. Hofstetter
Address: PO Box 1427
Boise, ID 83701-1427

4. Copies to:

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

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Irene A. Collins

Signature of Respondent or attorney
mailing on Respondent's behalf

- D. I am responding to the objections to the following elements. (Please check the appropriate box(es).)
1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.
 2. ☐ Source: I respond to the objection concerning the source of water.
 3. ☐ Quantity: I respond to the objection concerning:
 - ☐ a. The total quantity of water used in cubic feet per second; or
 - ☐ b. The total quantity of water stored in acre feet per year; or
 - ☐ c. The total quantity of water reserved for each and every purpose, including all present and future uses.
 4. ☐ Priority Date: I respond to the objection concerning the priority date.
 5. ☐ Point(s) of Diversion: I respond to the objection concerning the legal description of the point(s) of diversion.
 6. ☐ Instream Flow Description: I respond to the objection concerning the legal description of the beginning and ending points of the instream flow.
 7. ☐ Purpose(s) of Use: I respond to the objection concerning the purpose(s) of use.
 8. ☐ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
 9. ☐ Place of Use: I respond to the objection concerning:
 - ☐ a. The legal description of the place of use; or
 - ☒ b. The number of irrigated acres within the boundaries of the irrigation district.
 10. ☐ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.
 11. ☐ Water Right Recommendation: I respond to the objection concerning:
 - ☐ a. This water rights should not exit.
 - ☐ b. This water right was not recommended, but should be recommended with the elements described above.
 12. ☐ Description of Reservation: I respond to the objection concerning the legal description of the reservation.

13. ☐ Other: I respond to : _____

REASONS SUPPORTING EACH BOX CHECKED

You must state the reason(s), by number, for each box checked. You may use additional pages if necessary.

Box #9. This is a protective response on the part of the Bureau of Reclamation to Roseberry Irrigation District's objection. The Bureau of Reclamation concurs with the recommendation made by the director in the amended Director's Report of December 20, 2000 in this subcase.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

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

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

VERIFICATION (Must be Completed)

E.

State of Idaho)
(
County of Ada)

Jerold D. Gregg (Name of person filing response)
, duly sworn, upon oath, deposes and says:

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

(Signature of person filing response)
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 2-21-01

Helene Tomaszewski
Notary Public for the State of Idaho
Residing at: Meridian, Idaho
My Commission Expires on: January 16, 2002



F.

CERTIFICATE OF MAILING

I certify that on February 21, 2001, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

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

Name: Roseberry Irrigation District
Address: PO Box 366
Donnelly ID 83615

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney at the following address:

Name: Ms Dana L. Hofstetter
Address: PO Box 1427
Boise, ID 83701-1427

4. Copies to:

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

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Irene A. Collins

Signature of Respondent or attorney
mailing on Respondent's behalf

SECRET
100-100000-100000
100-100000-100000
100-100000-100000

RECEIVED

JAN 29 2001

Department of Water Resources

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

In Re SRBA

Case No. 39576

) A. Subcase No. 65-03116
)
)
)
)
)
)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Roseberry Irrigation District
Address: P. O. Box 366
Donnelly, Idaho 83615

Daytime Phone: 208-325-8768

Name & Address of Attorney, if any:

Josephine P. Beeman
Dana L. Hofstetter
Beeman & Hofstetter, P.C.
608 West Franklin Street
P. O. Box 1427
Boise, Idaho 83701-1427
(208) 388-8900

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

Name: Roseberry Irrigation District
Address: P. O. Box 42
Donnelly, Idaho 83615

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

1. ☒ **Name and Address**
Should be: P. O. Box 366, Donnelly, Idaho 83615
2. ☒ **Source**
Should be: Boulder Creek, tributary to North Fork, Payette River
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Point(s) of Diversion**
Should be: Accuracy of points of diversion need to be confirmed
6. ☐ **Instream Flow Description**
Should be: _____
7. ☒ **Purpose(s) of Use**
Should be: Incidental stockwater also should be designated
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: 2,990 acres

11. I object because:

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

E. **REASONS SUPPORTING OBJECTION(S):** Boulder Creek is tributary to the North Fork of the Payette River; stock have access to the Roseberry Irrigation District conveyance system; 1926 decree identified an irrigation place of use of 2,990 acres for this water right.

F.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Ada)

Dana L. Hofstetter, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

(Signature of person filing objection)

Dana L. Hofstetter
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 26, 2001



Joyce E. Angeli
Notary Public for the State of Idaho
Residing at: Boise, Idaho
My Commission Expires: July 24, 2002

INSTRUCTIONS FOR MAILING

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

G. CERTIFICATE OF MAILING

I certify that on January 26, 2001, I filed the original with the SRBA Court and mailed copies of this Objection, including all attachments, to the following:

Eastern Western Corporation
c/o Dana L. Hofstetter
P. O. Box 1427
Boise, ID 83701-1427

Roseberry Irrigation District
P. O. Box 366
Donnelly, ID 83615

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

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

RECEIVED

JAN 29 2001

Department of Water Resources

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

In Re SRBA	)	A. Subcase No. 65-03116
	)	
Case No. 39576	)	
	)	STANDARD FORM 1
	)	OBJECTION
	)	

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Eastern Western Corporation
Michael E. McGinley, President
Address: P. O. Box 3228
Portland, Oregon 97208-3228
Daytime Phone: (503) 236-1978

Name & Address of Attorney, if any:

Josephine P. Beeman
Dana L. Hofstetter
Beeman & Hofstetter, P.C.
608 West Franklin Street
P. O. Box 1427
Boise, Idaho 83701-1427
(208) 388-8900

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

Name: Roseberry Irrigation District
Address: P. O. Box 42
Donnelly, Idaho 83615

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

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: At least 2,826 acres and up to 2,990 acres
11. **I object because:**

☐ This water right should not exist.

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

E. REASONS SUPPORTING OBJECTION(S): 1926 decree identified 2,990 acres.

F. VERIFICATION (Must be Complete)

State of Idaho)
)ss.
County of Ada)

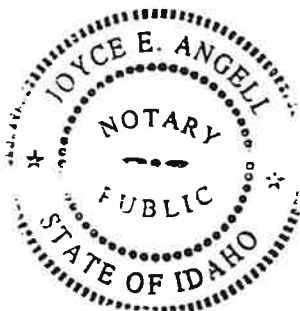
Dana L. Hofstetter, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

(Signature of person filing objection)

Dana Hofstetter
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 26, 2001



Joyce E. Angell
Notary Public for the State of Idaho

Residing at: Boise, Idaho

My Commission Expires: July 24, 2002

INSTRUCTIONS FOR MAILING

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

G. CERTIFICATE OF MAILING

I certify that on January 26, 2001, I filed the original with the SRBA Court and mailed copies of this Objection, including all attachments, to the following:

Roseberry Irrigation District
P. O. Box 366
Donnelly, ID 83615

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

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

CORRECTED DIRECTOR'S REPORT

Subcase No. 65-03116

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources

Karl J. Dreher, Director

David R. Tuthill, Jr., Adjudication Bureau Chief

December 20, 2000

CORRECTED DIRECTOR'S REPORT

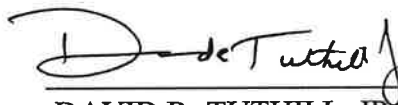
DESCRIPTIVE SUMMARY

This is a Corrected Director's Report submitted by the Director of the Idaho Department of Water Resources.

DISCUSSION

Pursuant to the *Order Setting Telephone Status Conference, Deadline and Hearing on Motion to File Late Objections* issued by Special Master Cushman on December 12, 2000, the Director submits for filing with the Court, a Corrected Director's Report for the aforementioned subcase (see attached print-out).

Respectfully submitted this 20th day of December, 2000.



DAVID R. TUTHILL, JR.
Adjudication Bureau Chief

CERTIFICATE OF SERVICE

I certify that on 12-20, 2000, I served the original and/or copies of this form, including all attachments, to the following persons by delivering the original and/or copies, 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

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☒ Facsimile

2. Copies to:

Dana L. Hofstetter
P.O. Box 1427
Boise, ID 83701-1427

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

U.S.D.I. Bureau of Reclamation
U.S. Dept. of Justice
550 West Fort Street, MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

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

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Chas McDevitt
P.O. Box 2564
Boise, ID 83701

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Roseberry Irrigation District
P.O. Box 42
Donnelly, ID 83615

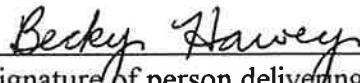
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Joe Eld
2554 East Roseberry
McCall, ID 83638

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Valley County Courthouse
219 Main
Cascade, ID 83611

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile



Signature of person delivering form

12/19/2000

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

RIGHT NUMBER: 65-3116

NAME AND ADDRESS: ROSEBERRY IRRIGATION DISTRICT
PO BOX 42
DONNELLY, ID 83615

SOURCE: BOULDER CREEK TRIBUTARY: CASCADE RESERVOIR

QUANTITY: 48.72 CFS

PRIORITY DATE: 01/12/1917

POINT OF DIVERSION: T17N R03E S13 SENWSE Within VALLEY County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
4-15 10-15

QUANTITY
48.72 CFS

PLACE OF USE:

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 2826 ACRES WITHIN THE
BOUNDARIES OF THE ROSEBERRY IRRIGATION DISTRICT IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-03114, 65-03115, 65-02585

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2,679 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RECEIVED

AUG 29 2000

WATER RESOURCES
WESTERN REGION

RECEIVED

AUG 21 2000

Department of Water Resources

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

In Re SRBA

Case No. 39576

A. Subcase 65-03116

(Insert water right number
From the Objection Form)

STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: Eastern Western Corporation
Michael E. McGinley, President
Address: P. O. Box 3228
Portland, Oregon 97208-3228
Daytime Phone: (503) 236-1978

Name & Address of Attorney, if any:

Dana L. Hofstetter
Beeman & Hofstetter, P.C.
P. O. Box 1427
Boise, ID 83701-1427
(208) 388-8900

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

Name: United States of America acting through the Department of Interior
Bureau of Reclamation
Address: 1150 North Curtis Road
Boise, ID 83706-1234
Daytime Phone: (208) 334-1464 (Irene Collins)

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

General Provisions Basin 65 Irrigation & Other Part I - Separate Streams Administration

- | | | |
|-----|--------------------------|---------------------------|
| 1. | ☐ | Name and Address |
| 2. | ☐ | Source |
| 3. | ☐ | Quantity |
| 4. | ☐ | Priority Date |
| 5. | ☐ | Point(s) of Diversion |
| 6. | ☐ | Instream Flow Description |
| 7. | ☐ | Purpose(s) of Use |
| 8. | ☐ | Period of Year |
| 9. | ☐ | Place of Use |
| 11. | | Recommendation |

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

E. VERIFICATION (Must be Completed)

State of Idaho)
(ss:)
County of Ada)

Dana L. Hofstetter
(Name of person filing response)
duly sworn, upon oath, deposes and says:

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

(Signature of person filing response)
[Signature]
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: August 18, 2000

[Signature]
Notary Public for the State of Idaho
Residing at: Boise, Idaho
My Commission Expires: 07-24-2002



INSTRUCTIONS FOR MAILING

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

F.

CERTIFICATE OF MAILING

I certify that on **August 18, 2000**, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to: Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, ID 83303-2707
2. One copy to the claimant of the water right at the following address:

Name: Roseberry Irrigation District
Address: P. O. Box 42
Donnelly, ID 83615
3. One copy to the party who filed the objection. at the following address:

Name: James J. Dubois
U.S. Department of Justice
Environmental & Natural Resource Division
Address: General Litigation Section
550 West Fort Street, MSC 033
Boise, ID 83724
4. Copies to:

IDWR Document Depository P. O. Box 83720 Boise, ID 83720-0098	United States Department of Justice Environment & Natural Resource Division 550 West Fort Street, MSC 033 Boise, ID 83724
Chief, Natural Resources Division Office of the Attorney General. State of Idaho P. O. Box 44449 Boise, ID 83711-4449	



Your signature or signature of attorney
mailing on your behalf

05/15/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 65-3116

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROSEBERRY IRRIGATION DISTRICT PO BOX 366 DONNELLY, ID 83615 (208)325-8768

Current Owner	JOE ELD 2554 E ROSEBERRY MC CALL, ID 83638 (208)325-8876
---------------	---

Priority Date: 01/12/1917
Basis: Decreed
Status:

<u>Source</u>	<u>Tributary to</u>
BOULDER CREEK	NORTH FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/15	10/15	48.72 CFS		
Total Diversion			48.72 CFS		

Location of Point(s) of Diversion:

BOULDER CREEK	NWSE	Sec. 13	Township 17N	Range 03E	VALLEY County
---------------	------	---------	--------------	-----------	---------------

IRRIGATION Use:
Acre Limit: 2679

Place(s) of use: No POUs found for this right

Conditions of Approval:

- C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

- Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2826 ACRES WITHIN THE BOUNDARIES OF THE ROSEBERRY IRRIGATION DISTRICT IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-03114, 65-03115, 65-02585.
- Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2,679 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
dbuffing	3/20/200	Address change	Address changed per claimant request. DB 3/20/2001.

sbock 1
5/13/200 changes
1

The SE was dropped off of the pod making it a 40 acre track rather than 10 acre track, and the trib was changed to North Fork of the Payette River. These changes were made after meeting with claimants in an effort to resolve objections.

Dates:

Licensed Date:
Claim Received Date: 12/19/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date: 01/21/1986
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Other Information:

Receipt Number(s): C013571
State or Federal: S
Owner Name Connector:
Water District Number: 65
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 65-3116

<u>Owner Type</u> Current Owner	<u>Name and Address</u> ROSEBERRY IRRIGATION DISTRICT PO BOX 42 DONNELLY, ID 83615 (208)325-8768
------------------------------------	--

Priority Date: 01/12/1917
Basis:
Status:

<u>Source</u> BOULDER CREEK	<u>Tributary to</u> CASCADE RESERVOIR
--------------------------------	--

<u>Beneficial Use</u> IRRIGATION	<u>From</u> 4/15	<u>To</u> 10/15	<u>Diversion Rate</u> 48.72 CFS	<u>Volume</u>	<u>Subuse Code</u>
Total Diversion			48.72 CFS		

Location of Point(s) of Diversion:

BOULDER CREEK SENWSE Lt Sec. 13 Township 17N Range 03E VALLEY County

IRRIGATION Use:
Acre Limit: 2679

Place(s) of use: No POUs found for this right

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2826 ACRES WITHIN THE BOUNDARIES OF THE ROSEBERRY IRRIGATION DISTRICT IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-03114, 65-03115, 65-02585.^^^
2. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2,679 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

AJ0749NP
No. R65-03116

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

DATE: 09/22/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROSEBERRY IRRIGATION DISTRICT	01/12/1917	IRRIGATION	04-15 10-15	48.720 CFS	
	PO BOX 42					
	DONNELLY ID 83615					
	(208) 325-8768					
				TOTAL DIVERSION:	48.720 CFS	
	Water Source: BOULDER CREEK		Tributary to: CASCADE RESERVOIR			
	Points(s) of Diversion: T17N R03E S13		SEWSE			
	POU County:				Stage: DECREED	VALLEY County
	Other Rights: 65-03115, 6503114, 6502585.					

Remarks: POU1 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2826 ACRES WITHIN THE BOUNDARIES OF THE ROSEBERRY IRRIGATION DISTRICT IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-03114, 65-03115, 65-02585.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag: D
Presumption Flag: D

Comments: Date: 06/29/1999 User-ID: SBOCK Subject: COPIED FROM REMARKS PLACE OF USE WITHIN LANDS OF THE ROSEBERRY IRRIGATION DISTRICT. STOCK USE IS INCIDENTAL. CONCLUSIONS OF LAW #7 IS PRESUMED TO APPLY TO THIS RIGHT, WHERE A REASONABLE FLOW IS IMPLIED AND INCLUDED FOR THE WATERING OF LIVESTOCK DURING THE NON- IRRIGATION SEASON. THE POINT OF DIVERSION HAS BEEN AT THE LOCATION WHICH THIS CLAIM PRESENTS SINCE 1940. THE ACREAGE HAS BEEN ESTABLISHED AS OF 1980. THE PAYETTE DECREE SHOWED ACREAGE AT 2679.

Audit: 09/22/99 SBOCK

AJ0749NP
No. R65-03116

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

DATE: 06/30/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROSEBERRY IRRIGATION DISTRICT PO BOX 42 DONNELLY ID 83615 (208) 325-8768	01/12/1917	IRRIGATION	04-15 10-15	48.72 CFS	
TOTAL DIVERSION:					48.72 CFS	
Water Source: BOULDER CREEK		Tributary to: CASCADE RESERVOIR		Stage: DECREED		
Point(s) of Diversion: T17N R03E S13		SEWSE		VALLEY County		

POU County:

Other Rights: 65-03115, 6503114, 6502585.

Remarks: QNT THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE AT FIELD HEADGATE.

POU1 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 2679 ACRES WITHIN THE
BOUNDARIES OF THE ROSEBERRY IRRIGATION DISTRICT IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-03114, 65-03115

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag: D
Presumption Flag: D

Comments: Date: 06/29/1999 User-ID: SBOCK Subject: COPIED FROM REMARKS
PLACE OF USE WITHIN LANDS OF THE ROSEBERRY IRRIGATION DISTRICT.
STOCK USE IS INCIDENTAL. CONCLUSIONS OF LAW #7 IS PRESUMED TO APPL
LY TO THIS RIGHT, WHERE A REASONABLE FLOW IS IMPLIED AND INCLUDED
FOR THE WATERING OF LIVESTOCK DURING THE NON- IRRIGATION SEASON.
THE POINT OF DIVERSION HAS BEEN AT THE LOCATION WHICH THIS CLAIM
PRESENTS SINCE 1940.
THE ACREAGE HAS BEEN ESTABLISHED AS OF 1980. THE PAYETTE DECREE
SHOWED ACREAGE AT 2679.

Audit: 06/30/99 SBOCK

8826

AJ5809NP
No. A65-03116

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/05/99
PAGE: 57

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROSEBERRY IRRIGATION DISTRICT P O BOX 42 DONNELLY ID 83615 (208) 325-8768	01/12/1917	IRRIGATION	04-15 10-15	48.72 CFS	48.72 CFS
TOTAL DIVERSION: CONSUMPTIVE USE:					48.72 CFS	5702.80 AFA

Water Source: BOULDER CREEK
Tributary to: PAYETTE RIVER, NORTH FORK
Stage: DECREED
Point(s) of Diversion: T17N R03E S13 SEMSE VALLEY County

Place of use Legal Description for: IRRIGATION

		NE		NW		SW		SE			
T	R S	NE	SW	NE	SW	NE	SW	NE	SW	SE	SUM
16N 03E 1	1 : 35	40	40	20	40	40	40	40	40	40	175.6
16N 03E 2	2 : 25	40	40	40	40	40	40	40	40	40	25.0
16N 03E 10	10 : 40	40	40	40	40	40	40	40	40	40	30.0
16N 03E 11	11 : 40	40	40	40	40	40	40	40	40	40	490.0
16N 03E 12	12 : 40	40	40	40	40	40	40	40	40	40	490.0
16N 03E 13	13 : 40	40	40	40	40	40	40	40	40	40	400.0
16N 03E 14	14 : 40	40	40	40	40	40	40	40	40	40	617.0
16N 03E 15	15 : 30	40	40	40	40	40	40	40	40	40	195.0
16N 03E 23	23 : 40	40	40	40	40	40	40	40	40	40	220.0
16N 03E 24	24 : 40	40	40	40	40	40	40	40	40	40	150.0
17N 03E 36	36 : 40	40	40	40	40	40	40	40	40	40	58.8
TOTAL ACRES										2851.4	

POU County: VALLEY

Non-Irrigation Uses: S/ 10,000 HD. IN DISTRICT.

Other Rights: 65-03115, 6503114, 6502585.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-08337 65-08339 A65-03114 A65-03115 A65-08337 A65-08339

Remarks: GEN PLACE OF USE WITHIN LANDS OF THE ROSEBERRY IRRIGATION DISTRICT.
STOCK USE IS INCIDENTAL. CONCLUSIONS OF LAW #7 IS PRESUMED TO APPLY TO THIS RIGHT, WHERE A REASONABLE FLOW IS IMPLIED AND INCLUDED FOR THE WATERING OF LIVESTOCK DURING THE NON-IRRIGATION SEASON. THE POINT OF DIVERSION HAS BEEN AT THE LOCATION WHICH THIS CLAIM PRESENTS SINCE 1940.
THE ACREAGE HAS BEEN ESTABLISHED AS OF 1980. THE PAYETTE DECREE SHOWED ACREAGE AT 2679.

Dates: Exam Made Date: Verified Date: Objection Filed Date:
Misc: Water District Number: 65 Field Inspection Flag: D
Presumption Flag: D

Stage: DECREED

VALLEY County

Place of use Legal Description for: IRRIGATION

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROSEBERRY IRRIGATION DISTRICT	01/12/1917	IRRIGATION	04-15 10-15	48.72 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					48.72 CFS	5702.80 AFA
Water Source: BOULDER CREEK						
Tributary to: PAYETTE RIVER, NORTH FORK						
Stage: DECREED						
Point(s) of Diversion:		T17N R03E S13		SENMSE		
VALLEY County						
Place of use Legal Description for: IRRIGATION						
T	R	S	NE	NE	SE	SUM
16N 03E 1	NE	NE	SE	NE	SE	
16N 03E 2	NE	NE	SE	NE	SE	
16N 03E 10	NE	NE	SE	NE	SE	
16N 03E 11	NE	NE	SE	NE	SE	
16N 03E 12	NE	NE	SE	NE	SE	
16N 03E 13	NE	NE	SE	NE	SE	
16N 03E 14	NE	NE	SE	NE	SE	
16N 03E 15	NE	NE	SE	NE	SE	
16N 03E 23	NE	NE	SE	NE	SE	
16N 03E 24	NE	NE	SE	NE	SE	
17N 03E 36	NE	NE	SE	NE	SE	
TOTAL ACRES 2851.4						

POU County: VALLEY

Non-Irrigation Uses: \$/ 10,000 HD. IN DISTRICT.

Other Rights: 65-03115, 6503114, 6502585.

Remarks:	GEN	PLACE OF USE WITHIN LANDS OF THE ROSEBERRY IRRIGATION DISTRICT. STOCK USE IS INCIDENTAL. CONCLUSIONS OF LAW #7 IS PRESUMED TO APPLY TO THIS RIGHT, WHERE A REASONABLE FLOW IS IMPLIED AND INCLUDED FOR THE WATERING OF LIVESTOCK DURING THE NON- IRRIGATION SEASON. THE POINT OF DIVERSION HAS BEEN AT THE LOCATION WHICH THIS CLAIM PRESENTS SINCE 1940. THE ACREAGE HAS BEEN ESTABLISHED AS OF 1980. THE PAYETTE DECREE SHOWED ACREAGE AT 2679.
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Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number: 65	Field Inspection Flag:	
		Presumption Flag: D	

LAST: ROSEBERRY IRRIGATION DISTRICT FIRST:
ADDRESS: P O BOX 42
CITY: DONNELLY STATE: ID ZIP: 83615
PHONE NUMBER: 208-325-8768
OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE FIELD EXAMINER
Y Y() N()

CLAIM REMARKS: GEN PLACE OF USE WITHIN LANDS OF THE ROSEBERRY IRRIGATION DISTRICT.
STOCK USE IS INCIDENTAL. CONCLUSIONS OF LAW #7 IS PRESUMED TO APPLY TO THIS RIGHT, WHERE A REASONABLE FLOW IS IMPLIED AND INCLUDED FOR THE WATERING OF LIVESTOCK DURING THE NON-IRRIGATION SEASON. THE POINT OF DIVERSION HAS BEEN AT THE LOCATION WHICH THIS CLAIM PRESENTS SINCE 1940.
THE ACREAGE HAS BEEN ESTABLISHED AS OF 1980. THE PAYETTE DECREE SHOWED ACREAGE AT 2679.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____ PHONE NUMBER: () -
DATE OF FIELD EXAM: _/_/_ APPOINTMENT MADE: Y() N() TIME: : A() P()
ACCOMPANIED BY: _____ PHONE NUMBER: () -
RELATIONSHIP TO CLAIMANT: _____
DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A65-03116	PRIORITY DATE: 01-12-1917	STAGE: D
B. WR RECORD: # 65-03116	PRIORITY DATE: 01-12-1917	STAGE: D
C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?		Y(☒) N(☐)
D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?		Y(☐) N(☒)
E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW)		Y(☐) N(☒)
F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?		
PROOF OF BENEFICIAL USE SUBMITTED		N/A(☒) Y(☐) N(☐)
FIELD EXAM COMPLETED		N/A(☐) Y(☐) N(☐)
FIELD EXAM SENT TO STATE OFFICE		N/A(☒) Y(☐) N(☐)
LICENSE ISSUED		N/A(☐) Y(☐) N(☐)
* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.		
G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED?		N/A(☐) Y(☒) N(☐)
* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.		
H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?		Y(☒) N(☐)
NOTES:		

RECOMMENDED PRIORITY DATE:

01-12-1917

REVIEWED BY

SB

DATE

6/22/99

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-03116	17N	03E	13	SE	NW	SE				VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX	MR RECORDS IN SAME 40 ACRE TRACT
A65-03114	65-08337	65-08337
A65-03115	65-08339	65-08339
A65-08337		
A65-08339		

SOURCE: BOULDER CREEK

TRIB: PAYETTE RIVER, NORTH FORK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-03116	17N	03E	13	SE	NE					VALLEY		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT	A PREFIX	R PREFIX
65-03114		
65-03115		
NONE		

SOURCE: BOULDER CREEK

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y(____) N(____)

AJ FIELD EXAM (DATE OF FIELD EXAM _____) NAME OF EXAMINER _____ Y(____) N(____)

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (X)

TWP.	RGE.	SEC.	1/4		LOT	POD	COUNTY	DIVERSION NAME	DIVERSION NBR
			SE	NW		FLAG			
17N	03E	13					VALLEY		
—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—

SOURCE: _____

TRIB: _____

REVIEWED BY:

DATE:

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
16N	03E	11	NW	NE		ROSEBERRY IRRIGATION DISTRICT A65-03116	/ 25.0	-	/		33.0
			NW	NE		ROSEBERRY IRRIGATION DISTRICT A65-03114	/ 25.0	-	/		
			NW	NE		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 25.0	-	/		
16N	03E	11	SW	NE		ROSEBERRY IRRIGATION DISTRICT A65-03116	/ 40.0	-	/		39.0
			SW	NE		ROSEBERRY IRRIGATION DISTRICT A65-03114	/ 40.0	-	/		
			SW	NE		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 40.0	-	/		
16N	03E	11	SE	NE		ROSEBERRY IRRIGATION DISTRICT A65-03116	/ 40.0	-	/		41.0
			SE	NE		JAMES FAMILY LTD PARTNERSHIP A65-18204	/	-	/		
			SE	NE		ROSEBERRY IRRIGATION DISTRICT A65-03114	/ 40.0	-	/		
			SE	NE		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 40.0	-	/		
			SE	NE		JAMES FAMILY LTD PARTNERSHIP 65-18204	/	-	/		
16N	03E	11	NE	NW		ROSEBERRY IRRIGATION DISTRICT A65-03116	/ 5.0	-	/		40.0
			NE	NW		ROSEBERRY IRRIGATION DISTRICT A65-03114	/ 5.0	-	/		
			NE	NW		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 5.0	-	/		
16N	03E	11	SE	NW		ROSEBERRY IRRIGATION DISTRICT A65-03116	/ 40.0	-	/		39.0
			SE	NW		ROSEBERRY IRRIGATION DISTRICT A65-03114	/ 40.0	-	/		
			SE	NW		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 40.0	-	/		
16N	03E	11	NE	SW		ROSEBERRY IRRIGATION DISTRICT A65-03116	/ 40.0	-	/		39.0
			NE	SW		ROSEBERRY IRRIGATION DISTRICT A65-03114	/ 40.0	-	/		
			NE	SW		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 40.0	-	/		
			NE	SW		JAMES, JIMMIE N.	65-10324	/			
16N	03E	11	NW	SW		ROSEBERRY IRRIGATION DISTRICT A65-03116	/ 20.0	-	/		30.0
			NW	SW		ROSEBERRY IRRIGATION DISTRICT A65-03114	/ 20.0	-	/		
			NW	SW		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 20.0	-	/		
			NW	SW		EASTERN WESTERN CORP	65-09796	/			
			NW	SW		HOLLAND & HART	R65-17573	/			
			NW	SW		EASTERN WESTERN CORP	A65-09796	/			
			NW	SW		EASTERN WESTERN CORP	A65-17573	/			
			NW	SW		HOLLAND & HART	65-09796	/			
			NW	SW		HOLLAND & HART	65-17573	/			
			NW	SW		EASTERN WESTERN CORP	65-12938	/			
16N	03E	11	SW	SW		ROSEBERRY IRRIGATION DISTRICT A65-03116	/ 40.0	-	/		39.0
			SW	SW		ROSEBERRY IRRIGATION DISTRICT A65-03114	/ 40.0	-	/		
			SW	SW		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 40.0	-	/		
16N	03E	11	SE	SW		ROSEBERRY IRRIGATION DISTRICT A65-03116	/ 40.0	-	/		37.0
			SE	SW		ROSEBERRY IRRIGATION DISTRICT A65-03114	/ 40.0	-	/		
			SE	SW		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 40.0	-	/		
16N	03E	11	NE	SE		ROSEBERRY IRRIGATION DISTRICT A65-03116	/ 40.0	-	/		40.0
			NE	SE		JAMES FAMILY LTD PARTNERSHIP A65-10324	/	-	/		

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NE	SE		JAMES FAMILY LTD PARTNERSHIP	A65-18203 /	-	-	/	
			NE	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03114 / 40.0	-	-	/	
			NE	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03115 / 40.0	-	-	/	
			NE	SE		JAMES FAMILY LTD PARTNERSHIP	65-18203 /	-	-	/	
			NE	SE		JAMES FAMILY LTD PARTNERSHIP	65-10324 /	-	-	/	
16N	03E	11	NW	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03116 / 40.0	-	-	/	40.0
			NW	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03114 / 40.0	-	-	/	
			NW	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03115 / 40.0	-	-	/	
16N	03E	11	SW	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03116 / 40.0	-	-	/	38.0
			SW	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03114 / 40.0	-	-	/	
			SW	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03115 / 40.0	-	-	/	
16N	03E	11	SE	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03116 / 40.0	-	-	/	42.0
			SE	SE		TAYLOR, WAVEITA I	A65-09616 /	65-09616	/		
			SE	SE		JAMES FAMILY LTD PARTNERSHIP	A65-10323 /	65-10323	/		
			SE	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03114 / 40.0	-	-	/	
			SE	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03115 / 40.0	-	-	/	
			SE	SE		TAYLOR, WAVEITA I	65-09616 /	-	-	/	
			SE	SE		JAMES FAMILY LTD PARTNERSHIP	65-10323 /	-	-	/	
16N	03E	12	NW	NE		ROSEBERRY IRRIGATION DISTRICT	A65-03116 / 40.0	-	-	/	40.0
			NW	NE		ROSEBERRY IRRIGATION DISTRICT	A65-03114 / 40.0	-	-	/	
			NW	NE		ROSEBERRY IRRIGATION DISTRICT	A65-03115 / 40.0	-	-	/	
16N	03E	12	SW	NE		ROSEBERRY IRRIGATION DISTRICT	A65-03116 / 40.0	-	-	/	36.0
			SW	NE		ROSEBERRY IRRIGATION DISTRICT	A65-03114 / 40.0	-	-	/	
			SW	NE		ROSEBERRY IRRIGATION DISTRICT	A65-03115 / 40.0	-	-	/	
16N	03E	12	NE	NW		ROSEBERRY IRRIGATION DISTRICT	A65-03116 / 20.0	-	-	/	31.0
			NE	NW		ROSEBERRY IRRIGATION DISTRICT	A65-03114 / 20.0	-	-	/	
			NE	NW		ROSEBERRY IRRIGATION DISTRICT	A65-03115 / 20.0	-	-	/	
			NE	NW		EASTERN WESTERN CORP	65-07361 / 40.0	-	-	/	

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
16N	03E	12	NW	SW		ROSEBERRY IRRIGATION DISTRICT A65-03116 / 40.0	-	/			37.0
			NW	SW		ROSEBERRY IRRIGATION DISTRICT A65-03114 / 40.0	-	/			
			NW	SW		ROSEBERRY IRRIGATION DISTRICT A65-03115 / 40.0	-	/			
			NW	SW		HOLLAND & HART A65-04033 / 10.0	65-04033	/			10.0
			NW	SW		MC ADAMS, THOMAS W. 65-10255 /	65-10255	/			
16N	03E	12	SW	SW		ROSEBERRY IRRIGATION DISTRICT A65-03116 / 40.0	-	/			40.0
			SW	SW		ELD, FRANK W A65-08874 /	-	/			
			SW	SW		BEARS, LOUISE K A65-08677 /	65-08677	/			
			SW	SW		ROSEBERRY IRRIGATION DISTRICT A65-03114 / 40.0	-	/			
			SW	SW		ROSEBERRY IRRIGATION DISTRICT A65-03115 / 40.0	-	/			
			SW	SW		BEARS, LOUISE K 65-08677 /	-	/			
			SW	SW		ELD, FRANK W 65-08874 /	-	/			
16N	03E	12	SE	SW		ROSEBERRY IRRIGATION DISTRICT A65-03116 / 40.0	-	/			40.0
			SE	SW		ROSEBERRY IRRIGATION DISTRICT A65-03114 / 40.0	-	/			
			SE	SW		ROSEBERRY IRRIGATION DISTRICT A65-03115 / 40.0	-	/			
16N	03E	12	NE	SE		ROSEBERRY IRRIGATION DISTRICT A65-03116 / 40.0	-	/			31.0
			NE	SE		ROSEBERRY IRRIGATION DISTRICT A65-03114 / 40.0	-	/			
			NE	SE		ROSEBERRY IRRIGATION DISTRICT A65-03115 / 40.0	-	/			
16N	03E	12	NW	SE		ROSEBERRY IRRIGATION DISTRICT A65-03116 / 40.0	-	/			24.0
			NW	SE		ROSEBERRY IRRIGATION DISTRICT A65-03114 / 40.0	-	/			
			NW	SE		ROSEBERRY IRRIGATION DISTRICT A65-03115 / 40.0	-	/			
			NW	SE		US DEPT OF AGRICULTURE 67-11942 /	-	/			
			NW	SE		GHELETA, M OR D ZANE OR E GOLA67-11942 /	-	/			
16N	03E	12	SW	SE		ROSEBERRY IRRIGATION DISTRICT A65-03116 / 40.0	-	/			40.0
			SW	SE		ROSEBERRY IRRIGATION DISTRICT A65-03114 / 40.0	-	/			
			SW	SE		ROSEBERRY IRRIGATION DISTRICT A65-03115 / 40.0	-	/			
			SW	SE		ELD RANCHES A65-03821 /	65-03821	/			
			SW	SE		ELD RANCHES 65-03821 /	-	/			
16N	03E	12	SE	SE		ROSEBERRY IRRIGATION DISTRICT A65-03116 / 30.0	-	/			39.0
			SE	SE		ROSEBERRY IRRIGATION DISTRICT A65-03114 / 30.0	-	/			
			SE	SE		ROSEBERRY IRRIGATION DISTRICT A65-03115 / 30.0	-	/			
16N	03E	13	NW	NE		ROSEBERRY IRRIGATION DISTRICT A65-03116 / 40.0	-	/			39.0
			NW	NE		ROSEBERRY IRRIGATION DISTRICT A65-03114 / 40.0	-	/			
			NW	NE		ROSEBERRY IRRIGATION DISTRICT A65-03115 / 40.0	-	/			
16N	03E	13	SW	NE		ROSEBERRY IRRIGATION DISTRICT A65-03116 / 40.0	-	/			39.0
			SW	NE		ROSEBERRY IRRIGATION DISTRICT A65-03114 / 40.0	-	/			
			SW	NE		ROSEBERRY IRRIGATION DISTRICT A65-03115 / 40.0	-	/			
16N	03E	13	NE	NW		ROSEBERRY IRRIGATION DISTRICT A65-03116 / 40.0	-	/			37.0
			NE	NW		GESTRIN, DOROTHY A65-03843 / 7.0	65-03843	/			7.0

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
16N	03E	13	NE	NW	LONG VALLEY MOTEL		A65-038438 / 2.0	-	-	/	
			NE	NW	BARKER & SON INC		A65-05038 /	65-05038	/	/	
			NE	NW	CLIFFORD BARKER & SON INC		A65-08548 /	65-08548	/	/	
			NE	NW	ROSEBERRY IRRIGATION DISTRICT		A65-03114 / 40.0	-	-	/	
			NE	NW	BARKER & SON INC		65-05038 /	-	-	/	
16N	03E	13	NE	NW	ROSEBERRY IRRIGATION DISTRICT		A65-03115 / 40.0	-	-	/	
			NE	NW	CLIFFORD BARKER & SON INC		65-08548 /	-	-	/	
			NW	NW	ROSEBERRY IRRIGATION DISTRICT		A65-03116 / 40.0	-	-	/	37.0
			NW	NW	ELD, FRANK W		A65-08875 /	65-08875	/	/	
			NW	NW	ROSEBERRY IRRIGATION DISTRICT		A65-03114 / 40.0	-	-	/	
16N	03E	13	NW	NW	ROSEBERRY IRRIGATION DISTRICT		A65-03115 / 40.0	-	-	/	
			NW	NW	SMITH ESTATES, ARTHUR J & NORMA		65-22216 /	-	-	/	
			NW	NW	ELD, FRANK W		65-08875 /	-	-	/	
			NW	NW	ELD, FRANK W		65-08875 /	65-08874	/	/	
			NW	NW	TRENT, LIZA M.		65-08231 /	-	-	/	
16N	03E	13	SW	NW	ROSEBERRY IRRIGATION DISTRICT		A65-03116 / 40.0	-	-	/	37.0
			SW	NW	ROSEBERRY IRRIGATION DISTRICT		A65-03114 / 40.0	-	-	/	
			SW	NW	ROSEBERRY IRRIGATION DISTRICT		A65-03115 / 40.0	-	-	/	
			SW	NW	ROSEBERRY IRRIGATION DISTRICT		A65-03115 / 40.0	-	-	/	
			SW	NW	ROSEBERRY IRRIGATION DISTRICT		A65-03115 / 40.0	-	-	/	
16N	03E	13	NE	SW	ROSEBERRY IRRIGATION DISTRICT		A65-03116 / 40.0	-	-	/	40.0
			NE	SW	ROSEBERRY IRRIGATION DISTRICT		A65-03114 / 40.0	-	-	/	
			NE	SW	ROSEBERRY IRRIGATION DISTRICT		A65-03115 / 40.0	-	-	/	
			NE	SW	ROSEBERRY IRRIGATION DISTRICT		A65-03115 / 40.0	-	-	/	
			NE	SW	ROSEBERRY IRRIGATION DISTRICT		A65-03115 / 40.0	-	-	/	
16N	03E	13	NW	SW	ROSEBERRY IRRIGATION DISTRICT		A65-03116 / 40.0	-	-	/	37.0
			NW	SW	ROSEBERRY IRRIGATION DISTRICT		A65-03114 / 40.0	-	-	/	
			NW	SW	ROSEBERRY IRRIGATION DISTRICT		A65-03115 / 40.0	-	-	/	
			NW	SW	ROSEBERRY IRRIGATION DISTRICT		A65-03115 / 40.0	-	-	/	
			NW	SW	ROSEBERRY IRRIGATION DISTRICT		A65-03115 / 40.0	-	-	/	
16N	03E	13	SW	SW	ROSEBERRY IRRIGATION DISTRICT		A65-03116 / 40.0	-	-	/	36.0
			SW	SW	ROSEBERRY IRRIGATION DISTRICT		A65-03114 / 40.0	-	-	/	
			SW	SW	ROSEBERRY IRRIGATION DISTRICT		A65-03115 / 40.0	-	-	/	
			SW	SW	ROSEBERRY IRRIGATION DISTRICT		A65-03115 / 40.0	-	-	/	
			SW	SW	ROSEBERRY IRRIGATION DISTRICT		A65-03115 / 40.0	-	-	/	
16N	03E	13	SE	SW	ROSEBERRY IRRIGATION DISTRICT		A65-03116 / 40.0	-	-	/	36.0
			SE	SW	ROSEBERRY IRRIGATION DISTRICT		A65-03114 / 40.0	-	-	/	
			SE	SW	ROSEBERRY IRRIGATION DISTRICT		A65-03115 / 40.0	-	-	/	
			SE	SW	ROSEBERRY IRRIGATION DISTRICT		A65-03115 / 40.0	-	-	/	
			SE	SW	ROSEBERRY IRRIGATION DISTRICT		A65-03115 / 40.0	-	-	/	
16N	03E	14	NE	NE	ROSEBERRY IRRIGATION DISTRICT		A65-03116 / 40.0	-	-	/	39.0
			NE	NE	BURKLAND, GARY A		A65-08754 /	65-08754	/	/	
			NE	NE	ROSEBERRY IRRIGATION DISTRICT		A65-02585 / 18.0	-	-	/	
			NE	NE	BAKER, ROBERT W		A65-05053 /	65-05053	/	/	
			NE	NE	TAYLOR, JACK		A65-09615 /	65-09615	/	/	
16N	03E	14	NE	NE	TAYLOR, JACK		65-09615 /	-	-	/	
			NE	NE	LAYTON, RICHARD A		A65-08753 /	65-08753	/	/	
			NE	NE							
			NE	NE							
			NE	NE							

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	MR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
16N	03E	14	NE	NE		BAKER, ROBERT M	65-05053 /	- /			
			NE	NE		ROSEBERRY IRRIGATION DISTRICT A65-03114	/ 40.0	- /			
			NE	NE		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 40.0	- /			
			NE	NE		BURKLAND, GARY A	65-08754 /	- /			
16N	03E	14	NE	NE		LAYTON, RICHARD	65-13783 /	2.0 /			
			NE	NE		LAYTON, RICHARD	65-13784 /	2.0 /			
			NE	NE							
			NE	NE							
16N	03E	14	NE	NE		ROSEBERRY IRRIGATION DISTRICT A65-03116	/ 40.0	- /			40.0
			NE	NE		ROSEBERRY IRRIGATION DISTRICT A65-03114	/ 40.0	- /			
			NE	NE		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 40.0	- /			
			NE	NE		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 40.0	- /			
16N	03E	14	SE	NE		ROSEBERRY IRRIGATION DISTRICT A65-03116	/ 40.0	- /			39.0
			SE	NE		ROSEBERRY IRRIGATION DISTRICT A65-02585	/ 1.0	- /			
			SE	NE		ROSEBERRY IRRIGATION DISTRICT A65-03114	/ 40.0	- /			
			SE	NE		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 40.0	- /			
16N	03E	14	SE	NE		TRENT, ELIZA MAE	65-09593 /	- /			
			NE	NE		ROSEBERRY IRRIGATION DISTRICT A65-03116	/ 40.0	- /			40.0
			NE	NE		ROSEBERRY IRRIGATION DISTRICT A65-03114	/ 40.0	- /			
			NE	NE		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 40.0	- /			
16N	03E	14	NE	NE		ROSEBERRY IRRIGATION DISTRICT A65-03116	/ 40.0	- /			42.0
			NE	NE		ROSEBERRY IRRIGATION DISTRICT A65-03114	/ 40.0	- /			
			NE	NE		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 40.0	- /			
			NE	NE		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 40.0	- /			
16N	03E	14	SW	SW		ROSEBERRY IRRIGATION DISTRICT A65-03116	/ 40.0	- /			41.0
			SW	SW		ROSEBERRY IRRIGATION DISTRICT A65-03114	/ 40.0	- /			
			SW	SW		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 40.0	- /			
			SW	SW		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 40.0	- /			
16N	03E	14	SE	SW		ROSEBERRY IRRIGATION DISTRICT A65-03116	/ 40.0	- /			41.0
			SE	SW		ROSEBERRY IRRIGATION DISTRICT A65-03114	/ 40.0	- /			
			SE	SW		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 40.0	- /			
			SE	SW		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 40.0	- /			
16N	03E	14	NE	SW		ROSEBERRY IRRIGATION DISTRICT A65-03116	/ 40.0	- /			40.0
			NE	SW		ROSEBERRY IRRIGATION DISTRICT A65-02585	/ 18.0	- /			
			NE	SW		ROSEBERRY IRRIGATION DISTRICT A65-03114	/ 40.0	- /			
			NE	SW		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 40.0	- /			
16N	03E	14	SW	SW		ROSEBERRY IRRIGATION DISTRICT A65-03116	/ 29.0	- /			41.0
			SW	SW		KLEINT, PAUL R	A65-03869 / 2.0	65-03869 / 2.0			
			SW	SW		ROSEBERRY IRRIGATION DISTRICT A65-02585	/ 35.0	- /			
			SW	SW		ROSEBERRY IRRIGATION DISTRICT A65-03114	/ 29.0	- /			
16N	03E	14	SW	SW		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 29.0	- /			
			SW	SW		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 29.0	- /			
			SW	SW		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 29.0	- /			
			SW	SW		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 29.0	- /			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	LR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
16N	03E	14	SW	SW		ROSEBERRY IRRIGATION DISTRICT	A65-03116 / 28.0	- / 20.0			39.0
			SW	SW		KLEINT, PAUL R	A65-03869 / 20.0	65-03869 / 20.0			
			SW	SW		ROSEBERRY IRRIGATION DISTRICT	A65-03114 / 28.0	- /			
			SW	SW		ROSEBERRY IRRIGATION DISTRICT	A65-03115 / 28.0	- /			
16N	03E	14	SE	SW		ROSEBERRY IRRIGATION DISTRICT	A65-03116 / 40.0	- /			40.0
			SE	SW		KLEINT, PAUL R	A65-03870 /	65-03870 /			
			SE	SW		KLEINT, PAUL R	A65-17483 /	- /			
			SE	SW		ROSEBERRY IRRIGATION DISTRICT	A65-03114 / 40.0	- /			
			SE	SW		ROSEBERRY IRRIGATION DISTRICT	A65-03115 / 40.0	- /			
			SE	SW		KLEINT, PAUL R	65-17483 /	- /			
			SE	SW		KLEINT, PAUL R	A65-03871 /	65-03871 /			
			SE	SW		KLEINT, PAUL R	65-03870 /	- /			
			SE	SW		KLEINT, PAUL R	65-03871 /	- /			
16N	03E	14	NE	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03116 / 40.0	- /			40.0
			NE	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03114 / 40.0	- /			
			NE	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03115 / 40.0	- /			
			NE	SE		KEYES, ROBERT M.	65-08820 /	65-08820 /			
16N	03E	14	NW	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03116 / 40.0	- /			38.0
			NW	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03114 / 40.0	- /			
			NW	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03115 / 40.0	- /			
16N	03E	14	SW	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03116 / 40.0	- /			40.0
			SW	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03114 / 40.0	- /			
			SW	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03115 / 40.0	- /			
16N	03E	14	SE	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03116 / 40.0	- /			38.0
			SE	SE		KEYES, ROBERT M	A65-08820 /	- /			
			SE	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03114 / 40.0	- /			
			SE	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03115 / 40.0	- /			
			SE	SE		KEYES, ROBERT M	65-08820 /	- /			
16N	03E	15	NE	NE		ROSEBERRY IRRIGATION DISTRICT	A65-03116 / 30.0	- /			34.0
			NE	NE		ROSEBERRY IRRIGATION DISTRICT	A65-03114 / 30.0	- /			
			NE	NE		ROSEBERRY IRRIGATION DISTRICT	A65-03115 / 30.0	- /			
			NE	NE		TENCICK, CYNTHIA	A65-17660 /	- /			
			NE	NE		TENCICK, CYNTHIA	65-17660 /	- /			
			NE	NE		DE JONG, MARC	65-08387 /	65-08387 /			
16N	03E	15	SW	NE		ROSEBERRY IRRIGATION DISTRICT	A65-03116 / 15.0	- /			38.0
			SW	NE		CITY OF DONNELLY	A65-03847 /	65-03847 /			
			SW	NE		KRAUSE, HERBERT H	A65-02723 / 6.0	65-02723 / 6.0			
			SW	NE		ROSEBERRY IRRIGATION DISTRICT	A65-03114 / 15.0	- /			
			SW	NE		ROSEBERRY IRRIGATION DISTRICT	A65-03115 / 15.0	- /			
			SW	NE		NUMBER CHANGE	A65-03736A /	- /			
			SW	NE		WALL, JOAN	A65-03736 /	65-03736 /			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
16N	03E	15	SE	NE		VALL, JOHN D	65-03736 /	- /			40.0
						MILLER, BILL J.		65-06988 /		1.0	
						FULTON, HUGH L.		65-08018 /			
						BURGESS, THEODORE F.		65-08869 /			
16N	03E	15	SE	NE		ROSEBERRY IRRIGATION DISTRICT	A65-03116 /	- /			
						PANCHERI, DUANE	A65-08771 /	65-08771 /			
						MC KENZIE, INEZ E	A65-08878 /	65-08878 /			
						GOODE, VIOLA M	65-17704 /	- /			
						ROSEBERRY IRRIGATION DISTRICT	A65-03114 /	- /			
						ROSEBERRY IRRIGATION DISTRICT	A65-03115 /	- /			
						GOODE, VIOLA M	A65-17704 /	- /			
						PANCHERI, LAURA	65-08771 /	- /			
						MC KENZIE, INEZ E	65-08878 /	- /			
16N	03E	15	SE	NE		ROSEBERRY IRRIGATION DISTRICT	A65-03116 /	- /			39.0
						ROSEBERRY IRRIGATION DISTRICT	A65-03114 /	- /			
						ROSEBERRY IRRIGATION DISTRICT	A65-03115 /	- /			
16N	03E	15	SE	NE		ROSEBERRY IRRIGATION DISTRICT	A65-03116 /	- /			33.0
						SMITH, WALTER E	A65-08770 /	65-08770 /			
						HIX, IRL	A65-17569 /	- /			
						ROSEBERRY IRRIGATION DISTRICT	A65-03114 /	- /			
						ROSEBERRY IRRIGATION DISTRICT	A65-03115 /	- /			
						HIX, IRL	65-17569 /	- /			
16N	03E	15	SE	NE		SMITH, MILDRED SELBY	65-08770 /	- /			
16N	03E	15	SE	NE		ROSEBERRY IRRIGATION DISTRICT	A65-03116 /	- /			28.0
						ROSEBERRY IRRIGATION DISTRICT	A65-02585 /	- /			
						ROSEBERRY IRRIGATION DISTRICT	A65-03114 /	- /			
						ROSEBERRY IRRIGATION DISTRICT	A65-03115 /	- /			
16N	03E	15	SE	NE		ROSEBERRY IRRIGATION DISTRICT	A65-03116 /	- /			41.0
						ROSEBERRY IRRIGATION DISTRICT	A65-02585 /	- /			
						ROSEBERRY IRRIGATION DISTRICT	A65-03114 /	- /			
						ROSEBERRY IRRIGATION DISTRICT	A65-03115 /	- /			
16N	03E	23	NE	NE		ROSEBERRY IRRIGATION DISTRICT	A65-03116 /	- /			40.0
						ROSEBERRY IRRIGATION DISTRICT	A65-03114 /	- /			
						ROSEBERRY IRRIGATION DISTRICT	A65-03115 /	- /			
16N	03E	23	NW	NE		ROSEBERRY IRRIGATION DISTRICT	A65-03116 /	- /			34.0
						ROSEBERRY IRRIGATION DISTRICT	A65-03114 /	- /			
						ROSEBERRY IRRIGATION DISTRICT	A65-03115 /	- /			
16N	03E	23	SW	NE		ROSEBERRY IRRIGATION DISTRICT	A65-03116 /	- /			25.0
						ROSEBERRY IRRIGATION DISTRICT	A65-03114 /	- /			
						ROSEBERRY IRRIGATION DISTRICT	A65-03115 /	- /			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
16N	03E	23	SE	NE		ROSEBERRY IRRIGATION DISTRICT	A65-03116 / 40.0	- /			13.0
			SE	NE		POINTS, VERNON	A65-09751 /	65-09751 /			
			SE	NE		POINTS, VERNON	65-09751 /	- /			
			SE	NE		ROSEBERRY IRRIGATION DISTRICT	A65-03114 / 40.0	- /			
			SE	NE		ROSEBERRY IRRIGATION DISTRICT	A65-03115 / 40.0	- /			
16N	03E	23	NE	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03116 / 20.0	- /			32.0
			NE	SE		KLEINT, PAUL R	A65-02642 / 20.0	65-02642 / 20.0			
			NE	SE		KLEINT, DONALD B	A65-17506 /	- /			
			NE	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03114 / 20.0	- /			
			NE	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03115 / 20.0	- /			
			NE	SE		KLEINT, DONALD B	65-17506 /	- /			
16N	03E	23	NW	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03116 / 40.0	- /			39.0
			NW	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03114 / 40.0	- /			
			NW	SE		ROSEBERRY IRRIGATION DISTRICT	A65-03115 / 40.0	- /			
16N	03E	24	NE	NW		ROSEBERRY IRRIGATION DISTRICT	A65-03116 / 40.0	- /			19.0
			NE	NW		ROSEBERRY IRRIGATION DISTRICT	A65-03114 / 40.0	- /			
			NE	NW		ROSEBERRY IRRIGATION DISTRICT	A65-03115 / 40.0	- /			
16N	03E	24	NW	NW		ROSEBERRY IRRIGATION DISTRICT	A65-03116 / 40.0	- /			27.0
			NW	NW		ROSEBERRY IRRIGATION DISTRICT	A65-03114 / 40.0	- /			
			NW	NW		ROSEBERRY IRRIGATION DISTRICT	A65-03115 / 40.0	- /			
16N	03E	24	SW	NW		ROSEBERRY IRRIGATION DISTRICT	A65-03116 / 35.0	- /			40.0
			SW	NW		KEYES, ROBERT M	A65-08883 /	65-08883 /			
			SW	NW		KEYES, ROBERT M	A65-08884 /	65-08884 /			
			SW	NW		ROSEBERRY IRRIGATION DISTRICT	A65-03114 / 35.0	- /			
			SW	NW		ROSEBERRY IRRIGATION DISTRICT	A65-03115 / 35.0	- /			
			SW	NW		KEYES, ROBERT M	65-08883 /	- /			
			SW	NW		KEYES, EFFIE G	65-08884 /	- /			
16N	03E	24	SE	NW		ROSEBERRY IRRIGATION DISTRICT	A65-03116 / 35.0	- /			37.0
			SE	NW		KEYES, ROBERT M	A65-08882 /	65-08882 /			
			SE	NW		ROSEBERRY IRRIGATION DISTRICT	A65-03114 / 35.0	- /			
			SE	NW		ROSEBERRY IRRIGATION DISTRICT	A65-03115 / 35.0	- /			
			SE	NW		KEYES, ROBERT M	65-08882 /	- /			
			SE	NW		KEYES, ROBERT M	65-04237 /	65-04237 /			
			SE	NW		KEYES, ROBERT M	65-09457 /	65-09457 /			
17N	03E	36	NE	SW		ROSEBERRY IRRIGATION DISTRICT	A65-03116 / 20.6	- /			39.0
			NE	SW		ROSEBERRY IRRIGATION DISTRICT	A65-03114 / 20.6	- /			
			NE	SW		ROSEBERRY IRRIGATION DISTRICT	A65-03115 / 20.6	- /			
17N	03E	36	NW	SW		ROSEBERRY IRRIGATION DISTRICT	A65-03116 / 8.3	- /			39.0
			NW	SW		CRUCKSHANK, JOHN	A65-03762 / 18.0	65-03762 / 18.0			
			NW	SW		CRUCKSHANK, JOHN	A65-07473 / 29.0	65-07473 / 29.0			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
17N	03E	36	NW	SW		ROSEBERRY IRRIGATION DISTRICT A65-03114	/ 8.3	-	/		
			NW	SW		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 8.3	-	/		
			NW	SW		CRUICKSHANK, JOHN R65-03762	/ 40.0	-	/		
			NW	SW		CRUICKSHANK, JOHN R65-07473	/ 40.0	-	/		
17N	03E	36	NW	SE		ROSEBERRY IRRIGATION DISTRICT A65-03116	/ 4.0	-	/		37.0
			NW	SE		ROSEBERRY IRRIGATION DISTRICT A65-03114	/ 4.0	-	/		
			NW	SE		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 4.0	-	/		
			NW	SE		ROSEBERRY IRRIGATION DISTRICT A65-03116	/ 25.9	-	/		
17N	03E	36	SW	SE		ROSEBERRY IRRIGATION DISTRICT A65-03114	/ 25.9	-	/		
			SW	SE		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 25.9	-	/		
			SW	SE		ROSEBERRY IRRIGATION DISTRICT A65-03116	/ 25.9	-	/		
			SW	SE		ROSEBERRY IRRIGATION DISTRICT A65-03115	/ 25.9	-	/		

ADDITIONAL POU FOUND

TOTAL ACRES	A65-03116	2851.40	POU COUNTY: VALLEY	2981.00
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C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

Y() N(X)

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-03116	BOULDER CREEK	ROSEBERRY IRRIGATION DISTRICT	48.720	0.017		
A65-02585	WILLOW CREEK	ROSEBERRY IRRIGATION DISTRICT	5.000	0.029		
A65-02642	GOLD FORK CREEK	KLEINT, PAUL R	0.540	0.009		
A65-02723	BOULDER CREEK	KRAUSE, HERBERT H	0.120	0.020		
A65-03114	BOULDER CREEK	ROSEBERRY IRRIGATION DISTRICT	50.000	0.017		
A65-03115	BOULDER LAKE	ROSEBERRY IRRIGATION DISTRICT			1218.00	0.42
A65-03762	WASTE WATER	CRUICKSHANK, JOHN	0.360	0.020		
A65-03762	WASTE WATER	CRUICKSHANK, JOHN	0.360	0.009		
A65-03843	GROUNDWATER	GESTRIN, DOROTHY	0.140	0.020		
A65-03843B	GROUNDWATER	LONG VALLEY MOTEL	0.040	0.020		

CLAIM NO.	SOURCE	NAME	DIV.	RATE	DIV.	RATE/ACRE	DIV.	VOL.	DIV.	VOL./ACRE
A65-03869	WILLOW CREEK	KLEINT, PAUL R	0.440	0.020						
A65-04033	BOULDER CREEK	HOLLAND & HART	0.950	0.021						
A65-07473	UNNAMED DRAIN	CRUICKSHANK, JOHN	0.580	0.020				101.50	3.50	
R65-07473	UNNAMED DRAIN	CRUICKSHANK, JOHN	0.580	0.014				101.50	2.53	
LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.										
CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME					
A65-06940	DOMESTIC	CAIN, THOMAS A	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A					
A65-06941	DOMESTIC	CAIN, DALE P	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A					
A65-06942	DOMESTIC	CAIN, THOMAS A	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A					
65-06940	DOMESTIC	CAIN, THOMAS A	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A					
65-06942	DOMESTIC	CAIN, THOMAS A	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A					
65-06941	DOMESTIC	CAIN, DALE P	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A					
A65-18204	DOMESTIC	JAMES FAMILY LTD PARTNERSHIP	FROM 01-01 TO 12-31	0.040 CFS						
65-18204	DOMESTIC	JAMES FAMILY LTD PARTNERSHIP	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A					
R65-09796	DOMESTIC	EASTERN WESTERN CORP	FROM 01-01 TO 12-31	0.040 CFS	3.00 AF/A					
R65-17573	DOMESTIC	HOLLAND & HART	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A					
A65-09796	DOMESTIC	EASTERN WESTERN CORP	FROM 01-01 TO 12-31	0.040 CFS	3.00 AF/A					
A65-17573	DOMESTIC	EASTERN WESTERN CORP	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A					
65-09796	DOMESTIC	HOLLAND & HART	FROM 01-01 TO 12-31	0.040 CFS	3.00 AF/A					
65-17573	DOMESTIC	HOLLAND & HART	FROM 01-01 TO 12-31	0.040 CFS	3.00 AF/A					
A65-10324	DOMESTIC	JAMES FAMILY LTD PARTNERSHIP	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A					
A65-18203	DOMESTIC	JAMES FAMILY LTD PARTNERSHIP	FROM 01-01 TO 12-31	0.040 CFS						
A65-18203	STOCKWATER	JAMES FAMILY LTD PARTNERSHIP	FROM 01-01 TO 12-31	0.030 CFS						
65-18203	DOMESTIC	JAMES FAMILY LTD PARTNERSHIP	FROM 01-01 TO 12-31	0.040 CFS						
65-18203	STOCKWATER	JAMES FAMILY LTD PARTNERSHIP	FROM 01-01 TO 12-31	0.030 CFS						
65-10324	DOMESTIC	TAYLOR, MAVETA I	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A					
A65-09616	DOMESTIC	JAMES FAMILY LTD PARTNERSHIP	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A					
A65-10323	DOMESTIC	TAYLOR, MAVETA I	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A					
65-09616	DOMESTIC	JAMES FAMILY LTD PARTNERSHIP	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A					
65-10323	DOMESTIC	JAMES FAMILY LTD PARTNERSHIP	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A					
A65-04033	STOCKWATER	HOLLAND & HART	FROM 01-01 TO 12-31	0.050 CFS	2.70 AF/A					
A65-08874	DOMESTIC	ELD, FRANK W	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A					
A65-08677	DOMESTIC	BEARS, LOUISE K	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A					
65-08677	DOMESTIC	BEARS, LOUISE K	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A					
65-08874	DOMESTIC	ELD, FRANK W	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A					
A67-11942	STOCKWATER	US DEPT OF AGRICULTURE	FROM 06-01 TO 10-31	0.020 CFS						
A65-03821	DOMESTIC	GHELETA, M OR D ZANE OR E GOUL	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A					
A65-03821	STOCKWATER	ELD RANCHES	FROM 01-01 TO 12-31	0.040 CFS	5.40 AF/A					
65-03821	DOMESTIC	ELD RANCHES	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A					
65-03821	STOCKWATER	ELD RANCHES	FROM 01-01 TO 12-31	0.040 CFS	5.40 AF/A					
A65-05038	DOMESTIC	BARKER & SON INC	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A					

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-08548	DOMESTIC	CLIFFORD BARKER & SON INC	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-08548	STOCKWATER	CLIFFORD BARKER & SON INC	FROM 01-01 TO 12-31	0.120 CFS	6.70 AF/A
65-05038	DOMESTIC	BAKER & SON INC	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-08548	STOCKWATER	CLIFFORD BARKER & SON INC	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-08548	STOCKWATER	CLIFFORD BARKER & SON INC	FROM 01-01 TO 12-31	0.120 CFS	6.70 AF/A
A65-08875	DOMESTIC	EID, FRANK M	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-22216	DOMESTIC	SMITH ESTATES, ARTHUR J & NORM	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-08875	DOMESTIC	EID, FRANK M	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-08754	DOMESTIC	BURKLAND, GARY A	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-08754	STOCKWATER	BURKLAND, GARY A	FROM 01-01 TO 12-31	0.020 CFS	0.40 AF/A
A65-05053	DOMESTIC	BAKER, ROBERT M	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
A65-05053	STOCKWATER	BAKER, ROBERT M	FROM 01-01 TO 12-31	0.040 CFS	0.40 AF/A
A65-09615	DOMESTIC	BAKER, ROBERT M	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-08754	DOMESTIC	TAYLOR, JACK	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-08753	DOMESTIC	LAYTON, JACK	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-08753	STOCKWATER	LAYTON, RICHARD A	FROM 01-01 TO 12-31	0.020 CFS	0.20 AF/A
65-05053	DOMESTIC	BAKER, ROBERT M	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-05053	STOCKWATER	BAKER, ROBERT M	FROM 01-01 TO 12-31	0.020 CFS	0.40 AF/A
65-08754	DOMESTIC	BURKLAND, GARY A	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-03870	DOMESTIC	BURKLAND, GARY A	FROM 01-01 TO 12-31	0.020 CFS	0.20 AF/A
A65-17483	DOMESTIC	KLEINT, PAUL R	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-17483	STOCKWATER	KLEINT, PAUL R	FROM 01-01 TO 12-31	0.050 CFS	1.20 AF/A
65-17483	DOMESTIC	KLEINT, PAUL R	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-03871	DOMESTIC	KLEINT, PAUL R	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-03870	DOMESTIC	KLEINT, PAUL R	FROM 01-01 TO 12-31	0.020 CFS	0.20 AF/A
A65-08820	DOMESTIC	KEYES, ROBERT M	FROM 01-01 TO 12-31	0.020 CFS	0.20 AF/A
65-08820	STOCKWATER	KEYES, ROBERT M	FROM 01-01 TO 12-31	0.020 CFS	0.20 AF/A
A65-17660	DOMESTIC	KEYES, ROBERT M	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-17660	DOMESTIC	TENCICK, CYNTHIA	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-03847	MUNICIPAL	CITY OF DONNELLY	FROM 01-01 TO 12-31	1.000 CFS	0.040 CFS
A65-03736A	DOMESTIC	NUMBER CHANGE	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-03736	DOMESTIC	WALL, JOHN D	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-08771	DOMESTIC	PANCHERI, DUANE	FROM 01-01 TO 12-31	0.070 CFS	1.20 AF/A
A65-08771	STOCKWATER	PANCHERI, DUANE	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-08878	DOMESTIC	MC KENZIE, INEZ E	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-17704	DOMESTIC	GOODE, VIOLA M	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-17704	DOMESTIC	GOODE, VIOLA M	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-08771	DOMESTIC	PANCHERI, LAURA	FROM 01-01 TO 12-31	0.070 CFS	1.20 AF/A
65-08878	DOMESTIC	PANCHERI, LAURA	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-08770	DOMESTIC	SMITH, WALTER E	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-08770	STOCKWATER	SMITH, WALTER E	FROM 01-01 TO 12-31	0.020 CFS	
A65-17569	DOMESTIC	HIX, IRL	FROM 01-01 TO 12-31	0.040 CFS	
65-17569	DOMESTIC	HIX, IRL	FROM 01-01 TO 12-31	0.040 CFS	
65-08770	DOMESTIC	SMITH, MILDRED SELBY	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
65-08770	STOCKWATER	SMITH, MILDRED SELBY	FROM 01-01 TO 12-31	0.020 CFS	0.70 AF/A
A65-09751	DOMESTIC	POINTS, VERNON	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-09751	DOMESTIC	POINTS, VERNON	FROM 01-01 TO 12-31	0.040 CFS	
A65-17506	DOMESTIC	KLEINT, DONALD B	FROM 01-01 TO 12-31	0.040 CFS	
A65-17506	STOCKWATER	KLEINT, DONALD B	FROM 01-01 TO 12-31	0.020 CFS	
65-17506	DOMESTIC	KLEINT, DONALD B	FROM 01-01 TO 12-31	0.020 CFS	
65-17506	STOCKWATER	KLEINT, DONALD B	FROM 01-01 TO 12-31	0.020 CFS	
A65-08883	DOMESTIC	KEYES, ROBERT M	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-08884	STOCKWATER	KEYES, ROBERT M	FROM 01-01 TO 12-31	0.030 CFS	1.40 AF/A
65-08883	DOMESTIC	KEYES, ROBERT M	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-08884	STOCKWATER	KEYES, EFFIE G	FROM 01-01 TO 12-31	0.030 CFS	1.40 AF/A
A65-08882	STOCKWATER	KEYES, ROBERT M	FROM 01-01 TO 12-31	0.020 CFS	0.70 AF/A
65-08882	STOCKWATER	KEYES, ROBERT M	FROM 01-01 TO 12-31	0.020 CFS	0.70 AF/A

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 65-03115, 6503114, 6502585.

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A () Y (X) N ()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y () N (X)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y () N (X)

limited to 0.020 CFS per acre

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____; () NAAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES:

RECOMMENDATIONS:

TOTAL ACRES: 207 N/A ()

REVIEWED BY: SD DATE: 02/29/17

01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	00
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A. ALL CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-03116 IRRIGATION	FROM 04-15 TO 10-15	48.720 CFS	
TOTAL DIVERSION RATE/VOLUME		48.720 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-03116 IRRIGATION	FROM 04-15 TO 10-15	48.720 CFS	
TOTAL DIVERSION RATE/VOLUME		48.720 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 48.720 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 48.720 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N()

E. FLOW MEASUREMENT

MEASUREMENT METHOD, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES x 0.02 CFS/ACRE = CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()
IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 5702.8 AF/A

ACRES x CONSUMPTIVE VOL. AF/A FOR AREA =

TOTAL CONSUMPTIVE USE AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

[illegible]**MR RECORD CONDITIONS/REMARKS:**

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-15 10-15	DATABASE EXAMINER 48.720	DATABASE EXAMINER	DATABASE EXAMINER 5702.8
TOTAL FOR THIS RIGHT		48.720		5702.8

NON-IRRIGATION USES CLAIMED: S/ 10,000 HD. IN DISTRICT.

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: _____ DATE: _____

FLAG: D _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):

Q25T
211

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP FORFEIT/ABANDON ADDITIONAL DIV. AMOUNT	ACCEPTED AS CLAIMED () () ()	NEEDS REVIEW () () ()
_____	()	()
_____	()	()
_____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-03116
TOTAL DIVERSION RATE OF WR SPLITS: 48.720
SPLITS: _____

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-03116	48.720	-	-	65-03116	48.720
TOTAL CFS		48.720				48.720

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

FIELD
EXAMINER
Y () N ()

NOTES:

AUTHENTICATION:
SIGNATURE: [Signature] DATE: 10/29/99
NAME OF FIELD EXAMINER: _____ TITLE: _____

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT		COPY INCLUDED IN FILE?	
TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION		
☐ ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDMR ID NO. _____	Y() N()	
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDMR ID NO. _____	Y() N()	
☐ MAP	DATE OF PHOTO _____ IDMR ID NO. _____	Y() N()	
☐ ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()	
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()	
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()	
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()	
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()	
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()	
☐ OTHER _____	DATE _____	Y() N()	
☐ OTHER _____	DATE _____	Y() N()	
☐ OTHER _____	DATE _____	Y() N()	
=====			
LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
☐ IDMR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
☐ SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
☐ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
☐ OTHER _____	DATE _____	_____	_____
☐ OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

MR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV								
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

03/21/2001

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

RIGHT NUMBER: 65-3116

NAME AND ADDRESS: ROSEBERRY IRRIGATION DISTRICT
PO BOX 366
DONNELLY, ID 83615

JOE ELD
2554 E ROSEBERRY
MC CALL, ID 83638

SOURCE: BOULDER CREEK TRIBUTARY: CASCADE RESERVOIR

QUANTITY: 48.72 CFS

PRIORITY DATE: 01/12/1917

POINT OF DIVERSION: T17N R03E S13 SENWSE Within VALLEY County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
4-15 10-15

QUANTITY
48.72 CFS

PLACE OF USE:

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 2826 ACRES
WITHIN THE BOUNDARIES OF THE ROSEBERRY IRRIGATION
DISTRICT IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT
NOS.: 65-03114, 65-03115, 65-02585

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2,679 ACRES
WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE
IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

In Re SRBA	)	SUBCASE NO. 65-02585, 65-03114
	)	65-03115 & 65-03116
Case No. 39576	)	
	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

Name and New Address of Claimant:

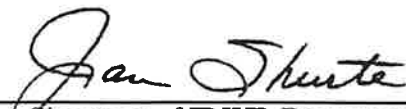
Roseberry Irrigation District
PO Box 366
Donnelly ID 83615

Joe Eld
2554 E Roseberry
Mc Call ID 83638

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 above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: March 27, 2001



Signature of IDWR Representative

CERTIFICATE OF MAILING

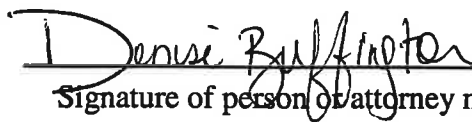
I certify that on March 27, 2001, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant or attorney of record:
Roseberry Irrigation District
PO Box 366
Donnelly ID 83615

Joe Eld
2554 E Roseberry
Mc Call ID 83638
3. One Copy to:
Each party in the subcase or attorney of record:
Josephine P Beeman
Dana L Hofstetter
Beeman & Hofstetter, P.C.
608 W Franklin St
PO Box 1427
Boise ID 83701-1424
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

5. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number(s):

65-2585

65-3114, 3115, 3116

[] Claimant Name(s):

Roseberry IRR Dist

PO Box 42

[] Old Mailing Address:

Donnelly, ID 83615

[X] New Mailing Address:

Roseberry Irr. Dist.

PO Box 366

Donnelly, ID 83615

Telephone Number:

(208) 325-8876

[X] Signature of Claimant(s):

Joe Eld

Date:

3/19/01

Joe Eld

2554 E Roseberry

McCall, ID. 83638

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: A65-03116
Date Received: 11-27-88
Receipt No: PM 12-23-88
Received By: DS
A/R # 2000011

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROSEBERRY IRRIGATION DISTRICT 208-325-8768
Address: P. O. BOX 42
DONNELLY, ID 83615
2. Date of Priority: JAN 12, 1917
3. Source: BOULDER CREEK Trib. to: PAYETTE RIVER, NORTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	03E	13	SE	NW	SE		VALLEY
5. Description of diverting works:
CONCRETE DIV. DAM WITH SPLASH BOARDS WITH 4' CALCO METERING GAGE.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	48.720		
7. Total Quantity Appropriated is:
48.720 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 5702.8 Acre Feet Per Annum.
9. Non-irrigation uses:
S/ 10,000 HD. IN DISTRICT.
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
16N	03E	1	NW	NE		IRR	35.6
			SW	NE		IRR	40.0
			NE	SW		IRR	20.0

A65-03116

Page 1

Date: 11/18/88

MICROFILMED

SEP 22 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	03E	1	SE	SW		IRR	40.0
			NW	SE		IRR	40.0
			Section Acres				175.6
		2	NW	SE		IRR	5.0
			SW	SE		IRR	20.0
			Section Acres				25.0
		10	SE	SE		IRR	30.0
			Section Acres				30.0
		11	NE	NE		IRR	40.0
			NW	NE		IRR	25.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	5.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	20.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				490.0
		12	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			NE	NW		IRR	20.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	30.0
			Section Acres				490.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
16N	03E	13	NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0

Section Acres 400.0

14	NE	NE	IRR	40.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	40.0
	NE	NW	IRR	40.0
	NW	NW	IRR	40.0
	SW	NW	IRR	40.0
	SE	NW	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	IRR	29.0
	SW	SW	IRR	28.0
	SE	SW	IRR	40.0
	NE	SE	IRR	40.0
	NW	SE	IRR	40.0
	SW	SE	IRR	40.0
	SE	SE	IRR	40.0

Section Acres 617.0

15	NE	NE	IRR	30.0
	SW	NE	IRR	15.0
	SE	NE	IRR	40.0
	NE	SE	IRR	40.0
	NW	SE	IRR	10.0
	SW	SE	IRR	20.0
	SE	SE	IRR	40.0

Section Acres 195.0

23	NE	NE	IRR	40.0
	NW	NE	IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	03E	23	SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	SE		IRR	20.0
			NW	SE		IRR	40.0
Section Acres							220.0
		24	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	35.0
			SE	NW		IRR	35.0
Section Acres							150.0
17N	03E	36	NE	SW		IRR	20.6
			NW	SW		IRR	8.3
			NW	SE		IRR	4.0
			SW	SE		IRR	25.9
Section Acres							58.8
Total Acres							2851.4

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
65-03115,6503114,6502585.

14. Remarks:
PLACE OF USE WITHIN LANDS OF THE ROSEBERRY IRRIGATION DISTRICT.
STOCK USE IS INCIDENTAL. CONCLUSIONS OF LAW #7 IS PRESUMED TO APPLY TO THIS RIGHT, WHERE A REASONABLE FLOW IS IMPLIED AND INCLUDED FOR THE WATERING OF LIVESTOCK DURING THE NON- IRRIGATION SEASON. THE POINT OF DIVERSION HAS BEEN AT THE LOCATION WHICH THIS CLAIM PRESENTS SINCE 1940.
THE ACREAGE HAS BEEN ESTABLISHED AS OF 1980. THE PAYETTE DECREE SHOWED ACREAGE AT 2679.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 1/21/1986

STATE OF IDAHO
Decree Plaintiff
A65-03116

Page

vs
4

A & C CORP., ET AL.
Decree Defendant
Date: 11/18/88

MICROFILMED
SEP 22 1992

16. Signature(s)

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

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am Chairman of the Board of Roseberry Irrigation Dist, that I have signed the foregoing document in the space below as Chairman of the Board of Roseberry Irrigation Dist and that the statements contained in the foregoing document are true and correct.

R. M. Kiger
Signature of Authorized Agent

COB - Roseberry Irr.
Title and Organization

12-20-88
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of December 19 88

Dana Billups
Notary Public

Seal

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

P.N.-3 DNB Bryon DeGrae 7-25-26

This filing cannot be filled

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

ICENT. NUMBER: 65-03116

DATE RECEIVED:

RECEIPT NO:

RECEIVED BY:

*should this #
be 65-2206*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: ROSEBERRY IRRIGATION DISTRICT
ADDRESS: P. O. BOX 42
DONNELLY, ID 83615

2. DATE OF PRIORITY: JAN 12, 1917

3. SOURCE: BOULDER CREEK TRIV. TO:

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
17N	03E	13	SE	NE			VALLEY

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION <i>stock water</i>	04/15	10/15	48.720		

7. TOTAL QUANTITY APPROPRIATED IS:
48.720 C.F.S. (AND/OR) $50 MI = 2436.0 MI$
A.F.A.

8. TOTAL CONSUMPTIVE USE IS _____ ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
----------	-------	---------	--------	-----	-----	-----	-------

11. PLACE OF USE IN COUNTIES: VALLEY, VALLEY

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

65-03116

PAGE

1

DATE: 09/30/88

83

MICROFILMED

SEP 22 1992

13. OTHER WATER RIGHTS USED:

14. REMARKS:

PLACE OF USE WITHIN LANDS OF THE ROSEBERRY IRRIGATION DISTRICT.

15. BASIS OF CLAIM: DECREE

CASE NUMBER:

COURT:

DECREE DATE: 1/21/1986

STATE OF IDAHO

DECREE PLAINTIFF

A & C CORP., ET AL.

VS

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): _____ DATE: _____

DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF
TITLE

_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION

DOCUMENT IN THE SPACE BELOW AS _____ OF
TITLE

_____, AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION

FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

MICROFILMED

SEP 22 1992

STATE OF IDAHO

)

) SS.

COUNTY OF _____)

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS _____ DAY

OF _____ 19 _____

NOTARY PUBLIC

SEAL

RESIDING AT _____

MY COMMISSION EXPIRES _____

MICROFILMED

SEP 22 1992

Donnelly, Idaho

Nov. 22, 1988

Director, Idaho State Dept. of Water Resources

Dear Sir

Re: Claim No. A65 - 03115

Roseberry Irr. 1st

Water Dist. 65-D

This Claim, for irrigation water storage rights, in Boulder Lake differs from the findings of the Payette River Adjudication in priority date.

When the Payette River Adjudication was finalized, the then Directors of the Roseberry Irrigation District failed to check it's provisions against provisions of the Original Boulder Creek Decree, dated 7-15-26. A copy of an Abstract of this Decree is enclosed as Exhibit #1. A copy of the the Decree is enclosed as Exhibit #2.

We question why the Dept. and the Presiding Judge also missed it's Provisions.

On the Abstract, line 3, PM #3, DN #2, refers to the Roseberry storage right. On the Decree: Paragraph 5, Pgs. 635-36, Paragraph 2, Pg. 641 and Paragraph 2, Pg. 644, refer to this right: giving it a priority of 1-12-17. We feel that an error was made in all entries, by the mistaken addition of a "0".

The map enclosed, Exhibit #3, was taken from records kept in the Supervisor's Office, Payette Natl. Forest, McCall, Idaho. The map, dated 9-7-22, shows the Completed Boulder Lake Dam, Lake and Storage Works; essentially as it is today and has been in operation since the Decree date.

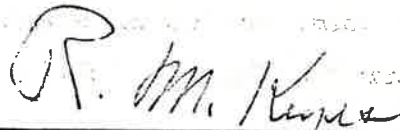
We, the Directors of Roseberry Irrigation District (one member deceased and not yet replaced) pray that the Director, State of Idaho Dept. of Water Resources will recommend to the Presiding Judge SRBA, that application # A65-03115 be approved as written. Thus restoring to Roseberry Irrigation District, the Boulder Lake Storage Right Priority of 1-12-17.

MICROFILMED

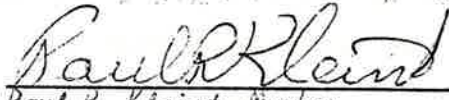
SEP 22 1992

As near as we can determine, the Payette Decree 1949 Priority Date was assigned from Decree Abstract R842, on Page #2, Line #2. This was a filing made for a raise of Boulder Creek Dam. This raise was later judged to be impractical and not cost-effective. It's construction was never attempted.

Signed



R. M. Keyes Chairman of the Board



Paul R. Kleint, Member

Roseberry Irrigation District
P. O. Box 42
Donnelly, Idaho 83615
Nov. 24, 1988

To: Director, State of Idaho Dept. of Water Resources

Re: Claims A 65 - 03114, 15 and 16
Roseberry Irrigation Dist.
Water Dist. 65 - D

Dear Sir:

We, Directors of Roseberry Irrigation Dist. pray your recommendation to the Presiding Judge, SRWA, that these three applications be approved as written.

These applications, all pertaining to the same water appropriation, differ in Point of Diversion and acreage amount from that specified in the Payette River Adjudication.

Point of Diversion: The present diversion structure was built in the late 1930's, app. 3/8 mile downstream from the original diversion point. The then Directors failed to note this change, when the Payette Decree was finalized.

Acreage: The original Decree (copy enclosed with 03115 Docket), specified Dist. acreage at 3010. The acreage set forth on the Payette Decree was 2679. The actual land under irrigation (as described in these applications is now 2851.44 acres. Errors in descriptions and acreages had been cropping up in land exchanges and assessments for several years. In 1978, District Directors began a comprehensive research of the County Records, from the formation of the District in 1910, until that date. Several discrepancies were discovered. The original boundary description did not close to the true point of beginning. Errors in acreage and descriptions were found in older recorded ~~in~~ instruments taking land out of the District and exchanges of lands within the District. Photographic maps showed that changes in the channel of Boulder Creek had rendered some lands impossible to reach, from District works.

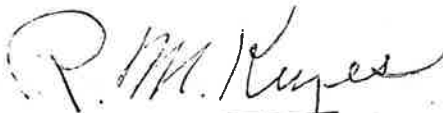
MICROFILMED

SEP 22 1992

After due public notice, advertised in local papers and two Public Hearing dates (at which no one appeared to protest) the Roseberry Irrigation District Board of Directors issued an order establishing the present District boundaries and acreage, as of Jan. 1, 1980. (This order was duly recorded in the County Records and I can supply this data, if required).

The land descriptions in Applications A65 - 03114, 15 & 16 are taken from this Order.

Respectfully Yours

A handwritten signature in cursive script that reads "R. M. Keyes". The signature is written in dark ink and is positioned above the printed name and title.

R. M. Keyes, Chairman
Board of Directors, Roseberry Irrigation Dist

Exhibit #4

Nov. 21, 1988

TO WHOME IT MAY CONCERN

I, ROBERT M. KEYES, residing at Box 356, Donnelly, Idaho 83615, do this date swear and affirm that I served as Watermaster of Water Dist 20 K and Water District 65-D from 1954 to 1980 and have served as Secretary of said water District, from 1954 to date.

I further swear and affirm that, during that time, the Judge Ed L. Bryan Decree of July 7, 1926, served as the basis of water distribution within the District. This Decree assigned Roseberry Irrigation District a priority of 1/12/17 for storage of irrigation water in Boulder Lake. The 1926 Decree has been accepted District-wide and to my knowledge, has never been disputed or challenged.

Boulder Lake lies at the extreme head of Boulder Creek. Only twice in the last 35 years, has it failed to fill, before the call of the Watermaster. Recent repairs to the Dam, which have increased it's strength and stopped a number of leaks, should allow it to fill even earlier, in the future.

Robert M. Keyes

STATE OF IDAHO)
COUNTY OF ADA)

MICROFILMED

SEP 22 1992

Subscribed and sworn (or affirmed) before me this 20th day of December, 1988.

Dena Billups
Notary Public

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

Date Received 11/18/88

State of Idaho
Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Roseberry Irr Dist
Name of Claimant

Box 42

Post Office Address

Donnelly Idaho 83615
City, State, Zip Code

Valley

County(s) where Place of Use is located

Nov 23 1988

Date Claim Originally Due

A65-03114 - 03115 - 03116

Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

More time is needed to confirm district acreages and descriptions and changes in point of diversion on #03114 and 03116 and changes in amount of storage and priority date on #03115.
Claimant requests an extension to June 1, 1989.

R. M. Keyes
Signature

Chairman of Board T.I.D.
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby

X granted denied
and the filing deadline extended to 12/23, 1988.

Signed this 21 day of November, 1988.

David B. Shaw
Director or his designated agent

David B. Shaw

MICROFILMED

SEP 22 1992

Called R. M. Keyes on 11/21/88 informed him of
30 to 40 days extension.

MEMORANDUM

DATE: December 21, 1989
TO: File A65-03114, A65-03115, A65-03116
FROM: Don Shaff *ll*
RE: Data Changes

On this date I remedied the problem of duplicate water right numbers on the node 3 region file and the master file. Both had the above numbers.

The attached proof reports indicate the records existing on the host master file on this date. You can see that the files lack the place of use and the point of diversion as contrasted with the complete land list and different point of diversions shown on what was the regional file.

In both cases, the fees were paid under AR #C000011. The previous host master record, as shown on the proof report, had the appropriate receipt #C004770 that represented the initial payment on this AR account.

On this date, I deleted the host master files to allow the more complete region files to update to the host master and thus have a single record for this water right claim. Correspondence and claims in the file may explain the transition from one set of records to a second set. The previous host master file had an audit of 12/27/88.

DVS:sf

MICROFILMED

SEP 22 1992

ROSEBERRY IRRIGATION DISTRICT

JANUARY 1, 1980

17 N, R 3 E B.M.

16N RANGE 3 E, B.M.

