



WATER-RIGHT DOCKET

Hagerman Fossil Beds National Monument

Docket No: 1

BELL DITCH

Preliminary Docket Information

08-23-2000: Comments regarding NPS WR #36-0021C

Re: HAFO Water Right No. 36-00021C

I spoke with Wayne Hill on 08/22/00. He wanted confirmation that the quantity of .3 cfs for Water Right No. 36-00021C, associated with the acquisition of the Harry A. Gisler property, was correct.

A review of documents in the WRB SRBA Adjudication File and a call to the Idaho Department of Water Resources resulted in the following information:

1. Water right No. 36-00021 was originally held by Harry A. Gisler
2. On 12/29/97 Harry A. Gisler sold approximately 54.06 acres of land to the United States for expansion of HAFO.
3. With the sale of the land the change in ownership resulted in a splitting of Water Right No. 36-00021 into Water Right No. 36-00021B and Water Right No. 36-00021C. Water Right No. 36-00021B (7.32 cfs) was retained by Harry A. Gisler and Water Right No. 36-00021C (.3 cfs) was acquired by the United States.
4. Quit Claim Deed #173626 shows that Harry A. Gisler quitclaimed to the United States 15 inches of irrigation water from the Bell Ditch.
5. In Idaho a Miner's Inch of water is equal to .02 cfs. Therefore, (15 inches) x (.02 cfs/inch) = .3 cfs
6. The quantity listed by the IDWR for Water Right 36-00021C is .3 cfs and is apparently correct.
7. I relayed this information to Wayne Hill on 08/23/00.

Jim Harte
WRB
08/23/00

RECEIVED

NOV 28 2000

Department of Water Resources

NOV 27 PM 3:03

FILED
T-SRBA
JULY 20, 2000
IDAHO

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

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREE

For Water Right 36-00021C

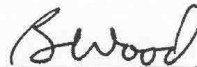
On November 1, 2000, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

On August 2, 1999, in response to the Idaho Supreme Court decision in *A&B Irrigation District v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions* which included a recommendation for the irrigation season of use for this water right. No objections to this Supplemental Report were filed and the time period for filing objections has now expired.

Therefore, IT IS ORDERED that water right 36-00021C is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED Nov. 27, 2000.



BARRY WOOD
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

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

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-00021C

200 NOV 27 PM 3: 03

FILED
TWIN FALLS, IDAHO

NAME AND ADDRESS: UNITED STATE OF AMERICA
DEPT OF INTERIOR
909 1ST AVE
SEATTLE, WA 98104-1060

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.30 CFS

PRIORITY DATE: 03/30/1884

POINT OF DIVERSION: T07S R13E S11 NWNENE Within Gooding County

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	02-15 TO 11-30	0.30 CFS

PLACE OF USE: Irrigation Within Gooding County
T07S R13E S28 NENE 12.0
12.0 Acres Total

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

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

RULE 54(b) CERTIFICATE

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



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

2000 NOV 27 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA)
)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 36-00021C

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 36-00021C was mailed
on November 27, 2000, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

UNITED STATE OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

DIANA DELANEY

Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
11/27/00

08/22/2000 16:47

2087363037

IDWR SOUTHERN REGION

PAGE 02

AJ5809NP
No. R36-00021CIDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORTDATE: 08/22/00
PAGE: 2

Comments: Date: 08/06/1992 User-ID: CHRISTEN Subject: CLAIM NUMBERING CHANGES
THE PARENT RIGHT WAS SPLIT IN ERROR. CLAIMANT OF A36-00021B
ACTUALLY CLAIMED ENTIRE RIGHT AND THERE ARE NO OTHER PORTIONS
RECOMMENDED. THEREFORE, THE PORTION CLAIMED UNDER A36-00021B IS
RECOMMENDED AS R36-00021.

Date: 09/22/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 9/21/92. CHANGED NOE FLAG FROM BLANK TO A.
CLAIM VERIFIED 8/6/92. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 10/13/1992 User-ID: WOKSTELL Subject: NOTICE OF ERROR RECORD
NO CHANGE TO RECOMMENDATION

Date: 10/21/1992 User-ID: CHRISTEN Subject: CHANGE IN CLAIM 10-21-92
CHANGED SEASON OF USE FOR STOCKWATER TO AGREE WITH IRR SEASON.XCC

Date: 02/22/1993 User-ID: SCHULTZ Subject: ADDED NEW ATTORNEY
RECEIVED NOTICE OF APPEARANCE FROM HEMMORTH WUNGESTER LEZAMITZ
2/10/93.
CLAIM VERIFIED 10/21/92--DIDN'T REVERIFY CLAIM.

Date: 08/22/1996 User-ID: SCELLAN Subject: COPIED FROM REMARKS
1.04 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.
WATER IS DELIVERED THROUGH BELL BITCH.

Date: 12/10/1997 User-ID: SCELLAN Subject: REFORMAT UPDATE
REFORMAT UPDATE

Date: 07/27/1999 User-ID: VIANCICK Subject: SOU
CORRECTED STOCK CODE, SOU

Date: 06/05/2000 User-ID: SCELLAN Subject: CHANGE OF OWNERSHIP SPLIT
THIS IS A PORTION OF THE 36-00021 SPLIT BY CHANGE OF OWNERSHIP.

Audit: 06/05/00 SCELLAN



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

June 7, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

US DEPT OF INTERIOR PARK SVC
909 1ST AVE
SEATTLE WA 98104-1060

RE: SRBA Claim(s) 36-00021

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett', is written over a horizontal line.

Trish Fawcett
Technical Records Specialist

cc: Patrick D. Brown

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

In Re SRBA)
Case No. 39576) NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS
Water Rights 36-00021, 36-00021B
and 36-00021C

IDWR has completed the following Administrative Proceeding:

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

SUBSTITUTION OF PARTY

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

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

Water Right(s): 36-00021, 36-00021B and 36-00021C

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
6/6/2000

36-00021, 36-00021B and 36-00021C

PAGE 1

From (Claimant/Seller):

Water Right Number: 36-00021

Name of Claimant: HARRY R GISLER
Address: 755 E 2800 S
HAGERMAN ID 83332
Phone: (208) 837-4894

To (Claimant/Purchaser):

Water Right Number: 36-00021B

Name of Claimant: HARRY R GISLER
Address: 755 E 2800 S
HAGERMAN ID 83332
Phone: (208) 837-4894

Water Right Number: 36-00021C

Name of Claimant: UNITED STATES OF AMERICA
Address: DEPT OF INTERIOR
909 1ST AVE
SEATTLE WA 98104-1060
Phone: (206) 220-5092

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.

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
6/6/2000

36-00021, 36-00021B and 36-00021C

PAGE 2

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

DATED: June 6, 2000



Signature of IDWR Representative

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
6/6/2000

36-00021, 36-00021B and 36-00021C

PAGE 3

CERTIFICATE OF MAILING

I certify that on 6/7/2000 I mailed the original
and copies of this form to the following persons, postage prepaid
and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

HARRY R GISLER
755 E 2800 S
HAGERMAN ID 83332
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

PATRICK D BROWN
LAW OFFICES
109 S ADAMS
JEROME ID 83338

UNITED STATES OF AMERICA
DEPT OF INTERIOR
909 1ST AVE
SEATTLE WA 98104-1060
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 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

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
6/6/2000

36-00021, 36-00021B and 36-00021C

PAGE 4

AJ5859NP

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

DATE: JUN-6-2000
PAGE: A-1

RIGHT NUMBER: 36-00021

SEE NOS. 36-00021B & 36-00021C.

AJ5856NP

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

DATE: JUN-6-2000

PAGE: A-1

 RIGHTS FROM: SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 36-00021B

NAME & ADDRESS: HARRY R GISLER
 755 E 2800 S
 RT 1
 HAGERMAN ID 83332

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 7.32 CFS

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

THE PORTION OF THIS RIGHT IN EXCESS OF 4.58 CFS IS
 SUBORDINATED TO ALL GROUND WATER AND SURFACE WATER RIGHTS WITH
 PRIORITY DATES OF DECEMBER 31, 1999 OR EARLIER.

PRIORITY DATE: 03/30/1884

POINT OF DIVERSION: T07S R13E S11 NWNENE Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		02-15 11-30	7.32 CFS
STOCKWATER		02-15 11-30	0.09 CFS
STOCKWATER		12-01 02-14	1.93 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T07S R13E	S21	Lot 6 (NESE)	10	Lot 9 (SESE)	28	
S22		NESW	9	NWSW	13	SWSW 37
S27		NWNW	32			
S28		NENE	8			
137 ACRES TOTAL						

STOCKWATER Within GOODING County

T07S R13E	S21	Lot 6 (NESE)	10	Lot 9 (SESE)	28	
S22		NESW		NWSW		SWSW
S27		NWNW				
S28		NENE		Lot 1 (NWN)		

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

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

AJ5856NP

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

DATE: JUN-6-2000

PAGE: A-2

RIGHTS FROM: SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 36-00021B (CONT)

OTHER PROVISIONS: (CONT)

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.

1.84 CFS OF THE UNSUBORDINATED PORTION OF THIS RIGHT IS
LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.

THE SUBORDINATED PORTION OF THIS WATER RIGHT SHALL NOT BE
ASSERTED, DELIVERED, HONORED, USED, ENFORCED, EFFECTIVE, OR
OTHERWISE RECOGNIZED IF IT WOULD CAUSE OR REQUIRE, EITHER
DIRECTLY OR INDIRECTLY, CURTAILMENT OF, INJURY TO, OR MITIGATION
FROM ANY SURFACE WATER OR GROUND WATER RIGHTS WITH PRIORITY DATES
OF DECEMBER 31, 1999 OR EARLIER. THE SUBORDINATION SHALL RUN
WITH AND BE A PERPETUAL SERVITUDE UPON THIS WATER RIGHT AND THE
ASSOCIATED LANDS, INCLUDING ANY NEW LANDS TO WHICH ALL OR ANY
PORTIONS OF THIS WATER RIGHT IS TRANSFERRED.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
WATER IS DELIVERED THROUGH BELL DITCH.
STOCKWATER, 400 CATTLE

AJ5856NP

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

DATE: JUN-6-2000

PAGE: A-3

RIGHTS FROM: SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 36-00021C

NAME & ADDRESS: UNITED STATES OF AMERICA
DEPT OF INTERIOR
909 1ST AVE
SEATTLE WA 98104-1060

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.3 CFS

PRIORITY DATE: 03/30/1884

POINT OF DIVERSION: T07S R13E S11 NWNENE Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	02-15 11-30	0.3 CFS

PLACE OF USE: IRRIGATION Within GOODING County
T07S R13E S28 NENE 12
12 ACRES TOTAL

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

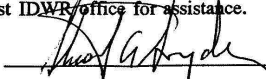
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
WATER IS DELIVERED THROUGH BELL DITCH.

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): 36-0021
- Adjudication Claim No(s): _____
2. The following REQUIRED information must be submitted with this form:
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
- AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
- OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Harry R. Gisler,
108 Doral Drive, Jerome, ID 83338
4. New Owner/Claimant(s) U.S. National Park Service
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 909 First Avenue
City, State and ZIP Code Seattle, WA 98104
New Telephone Number (206) 220-4065
5. Date you acquired the property Dec. 29, 1997
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
- 15 inches as specified in QCD
Number of acres you irrigate Number and type of stock
- Diversion rate in CFS Number of homes Other uses
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) 
David A. G. [unclear] Chief, Columbia Cascades Land Resources PC
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

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

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161



Color Infrared Air Photo Showing Vegetation in Orange.



North:

Land History

173625

After Recording, Return to:
U.S. Department of the Interior
National Park Service - CCLRPC
909 First Avenue - 5th Floor
Seattle, WA 98104-1060

STATE OF IDAHO COUNTY OF GOODING
GOODING TITLE & ESCROW

Filed for record at the request of _____
010 min. past 12 o'clock P.m. this 5th
of January, 1998 900
By Tenny Watson Deputy

STATUTORY WARRANTY DEED

The Grantor, Harry R. Gisler, a married man, as his separate property, for and in consideration of the sum of EIGHT HUNDRED SIXTY-EIGHT THOUSAND AND NO/100 DOLLARS (\$868,000.00), to him paid, receipt of which is hereby acknowledged, does hereby convey and warrant to the UNITED STATES OF AMERICA and its assigns, the following described property located in the County of Gooding, State of Idaho to wit:

All that certain tract of land situated in Section 28, Township 7 South, Range 13 East, Boise Meridian, Gooding County, State of Idaho, more particularly described as follows:

All of Government Lot 10 and Government Lot 11 as shown on the Dependent Resurvey and Subdivision Plat of Section 28, Township 7 South, Range 13 East of the Boise Meridian, State of Idaho, dated August 1, 1997, and filed in the official records of the Bureau of Land Management, Boise, Idaho, more particularly described as follows:

Commencing at the Northeast corner of said Section 28 thence;
South 0°04'00" West, a distance of 444.84 feet, to a point on the Easterly line of said Section 28, and said point being the Point of Beginning of the property herein described, thence, along the southerly and westerly sideline margins of an existing, unsurfaced private road for the following nine (9) courses,
North 75°01'00" West, a distance of 304.92 feet, thence;
North 69°23'00" West, a distance of 321.42 feet, thence;
North 79°13'00" West, a distance of 184.14 feet, thence;
North 65°11'00" West, a distance of 182.82 feet, thence;
North 84°05'00" West, a distance of 91.74 feet, thence;
South 78°42'00" West, a distance of 100.32 feet, thence;
North 85°03'00" West, a distance of 75.24 feet, thence;
North 04°38'00" West, a distance of 56.10 feet, thence;
North 09°46'00" East, a distance of 80.52 feet to a point on the Northerly line of said Section 28, thence;

Hagerman Fossil Beds National Monument
Tract No. 101-04

South 89°31'00" West, along said northerly line of Section 28, a distance of 601.59 feet, to a point thence;
South 13°35'00" West, a distance of 91.08 feet, thence;
South 06°30'00" East, a distance of 104.28 feet, thence;
South 05°02'00" East, a distance of 255.75 feet, thence;
South 75°43'00" West, a distance of 112.86 feet, thence;
South 81°17'00" West, a distance of 79.86 feet, thence;
South 11°19'00" West, a distance of 109.56 feet, thence;
South 55°22'00" West, a distance of 167.64 feet, thence;
South 32°33'00" West, a distance of 159.72 feet, thence;
South 29°21'00" West, a distance of 112.86 feet, thence;
South 01°29'00" West, a distance of 165.66 feet, thence;
South 18°20'00" East, a distance of 90.42 feet, thence;
South 08°19'00" West, a distance of 58.41 feet, thence;
South 10°49'00" West, a distance of 48.84 feet, thence;
South 47°30'00" East, a distance of 25.74 feet, thence;
South 05°14'00" West, a distance of 25.74 feet to a point, said point being located on the East and West center line of the Northeast Quarter (NE1/4) of said Section 28, thence;
North 89°37'00" East, along said East and West center line of the Northeast Quarter (NE1/4) of Section 28, a distance of 394.482, thence;
North 00°07'00" East, a distance of 19.998 feet, thence;
North 89°37'00" East, a distance of 1,856.778 feet to a point on the easterly line of said Section 28, thence;
North 00°04'00" East, along said easterly line of Section 28, a distance of 858.00 feet to the Point of Beginning and there ending.

The land hereinabove described contains 54.06 acres, more or less.

TOGETHER WITH THE Grantor's right, title and interest in and to water rights appurtenant to this property.

FURTHERMORE TOGETHER WITH a non-exclusive road easement for administrative purposes for ingress and egress over and across that road referenced in the above narrative description.

The land is conveyed subject to existing easements of record for public roads and highways, public utilities, railroads and pipelines.

Hagerman Fossil Beds National Monument
Tract No. 101-04

TO HAVE AND TO HOLD the above granted and described premises, together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in any way appertaining, unto said UNITED STATES OF AMERICA and its assigns forever.

The Grantor further remises, releases, and forever quitclaims to the UNITED STATES OF AMERICA, and its assigns, all right, title and interest which the Grantor may have in the banks, beds and waters of any streams bordering the said land conveyed and also all interest in any alleys, roads, streets, ways, strips, gores or railroad rights-of-way abutting or adjoining said land and in any means of ingress or egress appurtenant thereto.

The land is being acquired by the Department of Interior, National Park Service.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand this 29 day of Dec, 1997.

Harry R. Gisler
HARRY R. GISLER

ACKNOWLEDGMENT

STATE OF Arizona }
COUNTY OF Maricopa } ss

I certify that I know or have satisfactory evidence that HARRY R. GISLER, is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in this instrument.

Given Under My Hand and Official Seal this 29 day of Dec., 1997.

Donna J. Bobier
Notary Public in and for the
State of ARIZONA
residing at SUN LAKES.

My Commission Expires:

Hagerman Fossil Beds National Monument
Tract 101-04



QUIT CLAIM DEED

FOR VALUE RECEIVED

Harry R. Gisler

GRANTOR(S)

Do(es) Hereby Convey, Release, Remise and Forever Quitclaim Unto

United States of America

GRANTEE(S)

Whose address is: 909 First Ave 5th floor SEATTLE, WA. 98104

The following described premises, to-wit:

15 inches of Irrigation water from the Bell Ditch, being part of Water Right #36-0021B,
or that amount determined by the Snake River Adjudication Court.

173626

Together with their appurtenances.

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of **GOODING TITLE & ESCROW**

Dated: **January 5, 1998**

07 min. past 12 o'clock P. m. this 5th
of January 1998 3:00

Harry R. Gisler
Harry R. Gisler

By Denny Watson Deputy

State of ~~IDAHO~~ Arizona

County of ~~GOODING~~ SS. MARICOPA

On this 27 day of January, in the year 1997, before me, a notary public, personally appeared **Harry R. Gisler**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Donna J. Bobier
Notary Public
Residing At:
Commission Expires:



THE NATIONAL LAWYERS GUILD
 1000 17th St. N.W.
 Washington, D.C. 20036

Date: 8/23/00 10:50 AM
Sender: Wayne Hill
To: HAFO Superintendent
cc: Rick Wagner; James Harte
Priority: Normal
Subject: Water Rights

Neil,

We've been investigating questions related to the recent Idaho Dept. of Water Resources' (IDWR) transmission concerning the splitting of the former Gisler water rights. Of particular interest was the appropriateness of the amount of water portioned to the U.S. in the administrative proceedings (0.3 cfs from Billingsley Creek delivered through Bell Ditch).

After coordinating with Jim Harte, NPS Water Rights Branch, and reviewing the records, the proceedings notice appears correct. Jim confirms that the 0.3 cfs is equal to the 15 inches that was anticipated by NPS and transferred by deed from Mr. Gisler for irrigating approximately 12 acres of the total land acquired. Jim cautions that future changes in use of the water (e.g. riparian/wetlands restoration) should be coordinated with his office, as further filings with IDWR may be needed.

Neil, let me know if you need a copy of the IDWR correspondence/notice. -----wayne

Docket Information

Number of Documents in Docket 24

Documents Dated from 3/10/1966 to 11/28/2000

Docket Compiled: 7/19/2016