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 45-137
Date Received: 5/5/1989
Receipt No: S023149
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SHOULDER 3 RANCHES INC
PO BOX 218
OAKLEY ID USA 83346

Phone: (208)862-3375

2. Date of Priority: 05/31/1877

3. Source: TRAPPER CREEK

Trib. to: GOOSE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County	Type
14S	21E	34	SE SW NW		CASSIA	

5. Description of diverting works:

DAMS AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	07/02	11/01	0.4	
IRRIGATION	04/01	07/01	2	

7. Total Quantity Appropriated is:
2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14S	21E	26	SW SW		IRRIGATION	27.9
					Section Acres	27.9

14S	21E	27	SE	SE	IRRIGATION	7.6
					Section Acres	7.6
14S	21E	34	NE	NE	IRRIGATION	21.2
			NW	NE	IRRIGATION	12.1
			SW	NE	IRRIGATION	9.7
			SE	NW	IRRIGATION	0.6
					Section Acres	43.6
14S	21E	35	NW	NW	IRRIGATION	1.2
					Section Acres	1.2
					Total Acres	80.3

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

14. Remarks:

Claim amended to remove acres in the NESW, NWSW, & SESW of Section 26, T14S, R21E, which are on BLM ground.

15. Basis of Claim: Decreed

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 Organizations:

I do solemnly swear or affirm that I am PRESIDENT of SHOULDER 3 RANCHES, INC, that I have signed the foregoing
Title Organization
document in the space below as PRESIDENT of
Title
SHOULDER 3 RANCHES, INC and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

PRESIDENT SHOULDER 3 RANCHES, INC.
Title and Organization

9-19-02
Date

State of Idaho)
) SS.
County of Twin Falls)

Subscribed and sworn (or affirmed) before me this 19th.
of Sept. 2002

Jeanie Robertson
Notary Public

Residing at Twin Falls, Id.

My commission Expires 9-23-06

JEANIE ROBERTSON NOTARY PUBLIC STATE OF IDAHO

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 13, 2002

ROBERT WHITELEY
C/O Shoulder 3 Ranches Inc
PO BOX 218
OAKLEY ID 83346

RE: 45-137, 45-138, & 45-13488

Dear Robert,

After our meeting this morning, I realized that some of the acres you claimed under these rights are on BLM ground, namely the acres in the NESW, NWSW, and SESW of Section 26, see enclosed map. Do you have an agreement with BLM to irrigate these acres? Based on our experience in other basins, the BLM will object to these rights and either have you stop irrigating public land or want a portion of the water right. I thought we might want to address this issue before I recommend any acres on BLM ground.

As for the priority date on the Enlargement claim (45-13488), maybe you can find an old timer who remembers driving by this place and can write an affidavit as to **when** he remembers the acres being irrigated. I can recommend a priority date based on any credible evidence you can submit.

Please give me a call and let me know what you want to do about the BLM acres.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent

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

RECEIVED
JUN - 5 2000
Department of Water Resource
Southern Region

Ident. Number: **A45-00137**
Date Received: 5/ 5/1989
Receipt No: ~~S007044~~ S023149
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW **AMENDED**

1. Name: SHOULDER "3" RANCHES INC
   Address: PO BOX 218
   OAKLEY ID 83346
   208-862-3377

2. Date of Priority: MAY 31, 1877

3. Source: TRAPPER CREEK Trib. to: GOOSE CREEK

4. Point of Diversion:

Township	Range	Section	1/4	of 1/4	of 1/4	Lot	County
14S	21E	34	SE	SW	NW		CASSIA

5. Description of diverting works:
   DAMS AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	07/01	2.000		
IRRIGATION	07/02	11/01	0.400		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
   S/500 RANGE

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
14S	21E	26	NE	SW		IRR	16.3
			NW	SW		IRR	5.0
			SW	SW		IRR	27.9

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
14S	21E	26	SE	SW		IRR	3.6
					Section Acres		52.8
		27	SE	SE		IRR	7.6
					Section Acres		7.6
		34	NE	NE		IRR	21.2
			NW	NE		IRR	12.1
			SW	NE		IRR	9.7
			SE	NW		IRR	0.6
					Section Acres		43.6
		35	NW	NW		IRR	1.2
					Section Acres		1.2
					Total Acres		105.2

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A45-00138

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 2/21/1925

OAKLEY CANAL CO.
Decree Plaintiff

vs

WILLIAM F. WHITTLE ET. AL.
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am PRESIDENT (Title) of SHOULDER 3 RANCHES, INC. (Organization), that I have signed the foregoing document in the space below as PRESIDENT (Title) of SHOULDER 3 RANCHES, INC. (Organization) and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent

PRESIDENT SHOULDER 3 RANCHES, INC
Title and Organization

6-5-2000
Date

State of Idaho)
) SS.
County of Twin Falls)

Subscribed and sworn (or affirmed) before me this 5th day of June 20 00

Notary Public

(Seal)

Residing at Kimberly ID

My Commission Expires 6/30/2006

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: **A45-00137**
Date Received: 5/05/1989
Receipt No: S007044
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SHOULDER "3" RANCHES, INC. 208-862-3377
   Address: P.O. BOX 218
   OAKLEY, ID 83346

2. Date of Priority: MAY 31, 1877

3. Source: TRAPPER CREEK Trib. to: GOOSE CREEK

4. Point of Diversion:

Township	Range	Section	1/4	of 1/4	of 1/4	Lot	County
14S	21E	34	SE	SW	NW		CASSIA

5. Description of diverting works:
   DAMS AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	07/01	2.000		
IRRIGATION	07/02	11/01	0.400		

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

8. Total consumptive use is 180.0 Acre Feet Per Annum.

9. Non-irrigation uses:
   S/500 RANGE

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
14S	21E	26	NE	SW		IRR	10.0
			NW	SW		IRR	7.0

MICROFILMED
MAR 0 5 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
14S	21E	26	SW	SW		IRR	20.0
			SE	SW		IRR	5.0
					Section Acres		42.0
		27	SE	SE		IRR	8.0
					Section Acres		8.0
		34	NE	NE		IRR	15.0
			NW	NE		IRR	15.0
			SW	NE		IRR	10.0
					Section Acres		40.0
					Total Acres		90.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A45-00138

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 2/21/1925

OAKLEY CANAL CO.
Decree Plaintiff

vs

WILLIAM F. WHITTLE ET. AL.
Decree Defendant

MICROFILMED
MAR 0 5 1993

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 Organizations:

I do solemnly swear or affirm that I am President (Title) of Snowden "3" Ranches Inc. (Organization), that I have signed the foregoing document in the space below as President (Title) of Snowden "3" Ranches Inc. (Organization) and that the statements contained in the foregoing document are true and correct.

X [signature]
Signature of Authorized Agent

President Snowden "3" Ranches Inc.
Title and Organization

5-5-89
Date

State of Idaho)
) SS.
County of Twin Falls)

Subscribed and sworn (or affirmed) before me this 5th day of May 19 89

Seal

Stuart Colley
Notary Public

Residing at Twin Falls

My Commission Expires Dec 7, 1994

MICROFILMED
MAR 0 5 1993

MICROFILMED
MAR 0 5 1997

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A45-00137
A47-00138

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

◇◇

July 8, 1996 11:15am

NAME: **TOM THOMPSON** **CAMEIN**

RE: **CLAIM TO RIGHTS**

HE SAID HE OWNED AN OLD DECREE RIGHT SHARED WITH HIS NEIGHBOR. TARA HAD PROVIDED HIM WITH PROOFS OF THE WR/AJ DATA FOR **45-00137 & 45-00138.** HE STATED HIS PROPERTY WAS IN THE SE¼NW¼ SEC. 34 BUT I SHOWED HIM HOW THE RIGHTS WERE NOT DECREED TO HIS PARCEL IN THE NW¼. HE TOOK THE PRINT OUTS AND I SUGGESTED HE SKETCH OUT THE PROPERTY HE OWNS AND WHERE THE RIGHTS WERE DECREED AND WHERE HIS NEIGHBOR CLAIMED ACRES. THIS WILL GIVE A BETTER VIEW OF WHAT IS REPRESENTED BY THE RIGHTS. I TOLD HIM HE IS FREE TO CLAIM ANYTHING HE WISHES TO CLAIM REGARDLESS OF WHAT HIS NEIGHBORS CLAIMED OR I MIGHT HAVE SAID.

TRAPPER CREEK IRRIGATION DECREE

04/13/2004

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: See cover letter

RECEIVED
MAY 26 2004
Department of Water Resources
Southern Region

Water right number: 45-137

SHOULDER 3 RANCHES INC
PO BOX 218
OAKLEY ID 83346
Telephone Number: ~~(208) 862-3375~~ 208 862 3377

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

X **I AGREE with this proposed recommendation, no changes need to be made.**

DATE: 4-19-04 **SIGNATURE:** [signature]

Please print your name: ROBERT E. WHITELEY

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

Memorandum

To: TRANSFER #66119 (Shoulder "3" Ranches Inc)

CC: 45-137, 45-138, & 45-13488

From: Jeanie Robertson

Date: 10/1/2002

Re: AJ Review & Recommendation

This transfer was filed back in June of 2000 and was based on adjudication claims 45-137 & 45-138, with a 105.2 acre place of use. It was filed to change the point of diversion and record the historical place of use. It was eventually sent to the State Office for approval, but was returned to our office in December of 2001 along with a memo from Pam Skaggs suggesting that another claim might be needed, as not all of the claimed acres were part of the original decreed place of use. 45-13488 was filed to identify the 35.6 extra acres with a priority date of 2/22/1925 (one day after the decree was signed). It was later determined that some of the acres were on BLM ground, so the claimant decided to amend his claims and delete the acres on BLM ground, leaving the total place of use at 80.3 acres. (45-13488 now represents 10.7 beneficial use acres and the two decreed rights have a combined place of use of 69.6 acres.) I have attached copies of the recommendations and layout and recommend approval of this transfer.

Idaho Department of Water Resources

45-137, 45-138, & 45-13488



0 1320 2640 Feet

N

RECOMMENDED PLACE OF USE
DATA ENTRY ON SEPT.30, 2002
TWP 14S, RNG 21E, SEC. 26, 27, 34, & 35

- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

09/30/2002

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-137

NAME AND ADDRESS: SHOULDER 3 RANCHES INC
PO BOX 218
OAKLEY ID 83346

SOURCE: TRAPPER CREEK TRIBUTARY: GOOSE CREEK

QUANTITY: 2.00 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.8 CFS. COMBINED RIGHT NOS.: 45-137, 45-138, & 45-13488.

PRIORITY DATE: 05/31/1877

POINT OF DIVERSION:

T14S R21E S34 SESWNW Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	07/02 11/01	0.400 CFS
	04/01 07/01	2.000 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

T14S R21E S26	SWSW	27.9	T14S R21E S27	SESE	7.6
T14S R21E S34	NENE	21.2	T14S R21E S34	NWNE	12.1
T14S R21E S34	SWNE	9.7	T14S R21E S34	SENW	0.6
T14S R21E S35	NWNW	1.2	T14S R21E S34	SENW	0.6

80.3 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 45-138 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 69.6 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 80.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-137, 45-138, & 45-13488.

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: Decreed

09/30/2002

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-138

NAME AND ADDRESS: SHOULDER 3 RANCHES INC
PO BOX 218
OAKLEY ID 83346

SOURCE: TRAPPER CREEK TRIBUTARY: GOOSE CREEK

QUANTITY: 0.80 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.8 CFS. COMBINED RIGHT NOS.: 45-137, 45-138, & 45-13488.

PRIORITY DATE: 05/31/1883

POINT OF DIVERSION:

T14S R21E S34 SESWNW Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 07/01	0.800 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

T14S R21E S26	SWSW	27.9	T14S R21E S27	SESE	7.6
T14S R21E S34	NENE	21.2	T14S R21E S34	NWNE	12.1
T14S R21E S34	SWNE	9.7	T14S R21E S34	SENW	0.6
T14S R21E S35	NWNW	1.2	T14S R21E S34	SENW	0.6

80.3 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 45-137 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 69.6 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 80.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-137, 45-138, & 45-13488.

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: Decreed

10/01/2002

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-13488

NAME AND ADDRESS: SHOULDER 3 RANCHES INC
PO BOX 218
OAKLEY ID 83346

SOURCE: TRAPPER CREEK TRIBUTARY: GOOSE CREEK

QUANTITY: 0.37 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.8 CFS. COMBINED RIGHT NOS.: 45-137, 45-138, & 45-13488.

PRIORITY DATE: 02/22/1925

POINT OF DIVERSION:

T14S R21E S34 SESWNW Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	0.370 CFS

PLACE OF USE:

T14S R21E S26	SWSW	27.9	T14S R21E S27	SESE	7.6
T14S R21E S34	NENE	21.2	T14S R21E S34	NWNE	12.1
T14S R21E S34	SWNE	9.7	T14S R21E S34	SENW	0.6
T14S R21E S35	NWNW	1.2	T14S R21E S34	SENW	0.6

80.3 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 80.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-137, 45-138, & 45-13488.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 10.7 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: Beneficial Use

Memorandum

To: TRANSFER #66119 (Shoulder "3" Ranches Inc)

CC: 45-137, 45-138, & 45-13488

From: Jeanie Robertson

Date: 10/1/2002

Re: AJ Review & Recommendation

This transfer was filed back in June of 2000 and was based on adjudication claims 45-137 & 45-138, with a 105.2 acre place of use. It was filed to change the point of diversion and record the historical place of use. It was eventually sent to the State Office for approval, but was returned to our office in December of 2001 along with a memo from Pam Skaggs suggesting that another claim might be needed, as not all of the claimed acres were part of the original decreed place of use. 45-13488 was filed to identify the 35.6 extra acres with a priority date of 2/22/1925 (one day after the decree was signed). It was later determined that some of the acres were on BLM ground, so the claimant decided to amend his claims and delete the acres on BLM ground, leaving the total place of use at 80.3 acres. (45-13488 now represents 10.7 beneficial use acres and the two decreed rights have a combined place of use of 69.6 acres.) I have attached copies of the recommendations and layout and recommend approval of this transfer.

Version No. 9/30/02

09/30/2002

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-137

NAME AND ADDRESS: SHOULDER 3 RANCHES INC
PO BOX 218
OAKLEY ID 83346

SOURCE: TRAPPER CREEK TRIBUTARY: GOOSE CREEK

QUANTITY: 2.00 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.8 CFS. COMBINED RIGHT NOS.: 45-137, 45-138, & 45-13488.

PRIORITY DATE: 05/31/1877

POINT OF DIVERSION:

T14S R21E S34 SESWNW Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	07/02 11/01	0.400 CFS
	04/01 07/01	2.000 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

T14S R21E S26	SWSW	27.9	T14S R21E S27	SESE	7.6
T14S R21E S34	NENE	21.2	T14S R21E S34	NWNE	12.1
T14S R21E S34	SWNE	9.7	T14S R21E S34	SENW	0.6
T14S R21E S35	NWNW	1.2	T14S R21E S34	SENW	0.6

80.3 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 45-138 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 69.6 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 80.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-137, 45-138, & 45-13488.

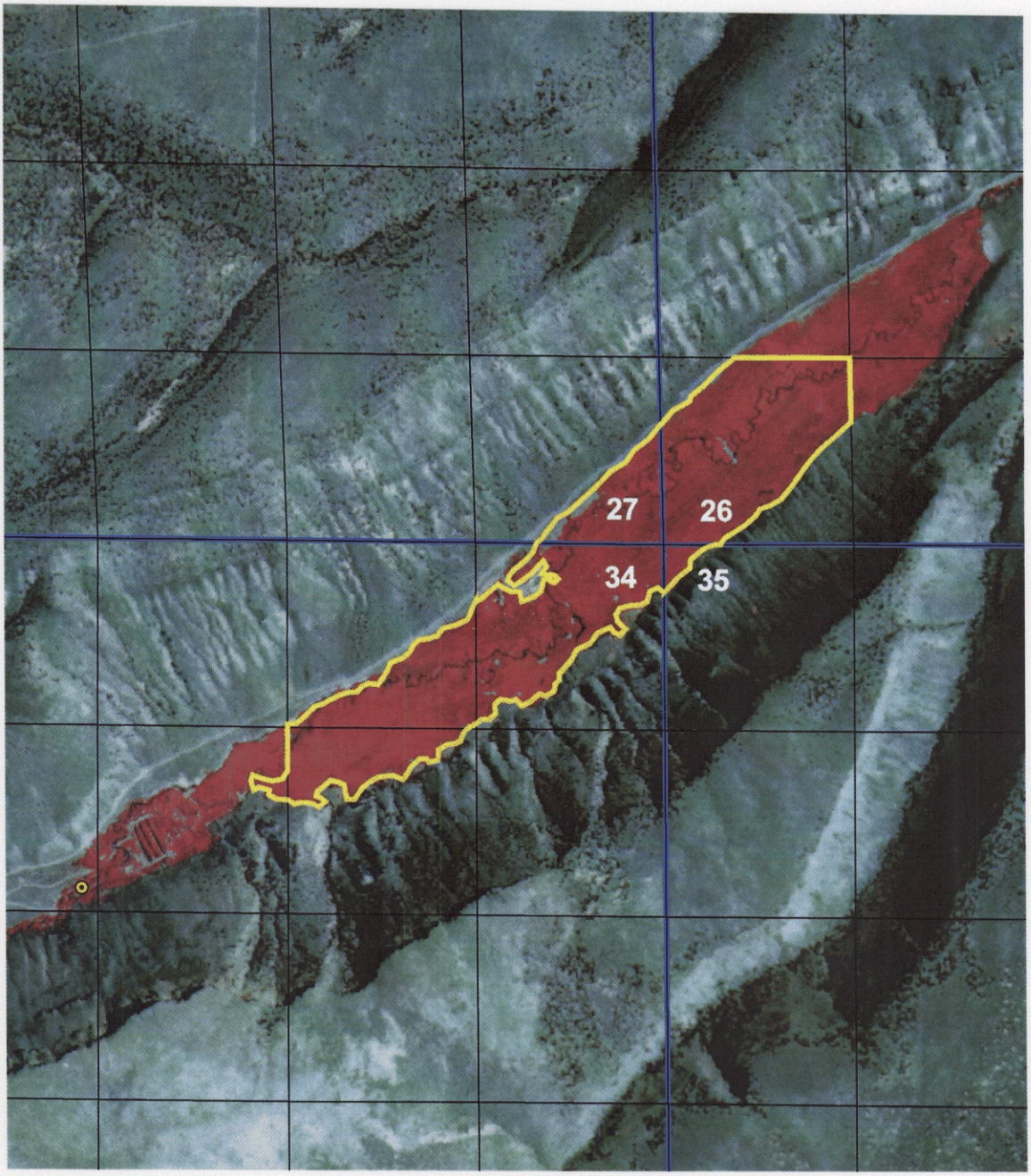
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: Decreed

Idaho Department of Water Resources

45-137, 45-138, & 45-13488



0 1320 2640 Feet

N

RECOMMENDED PLACE OF USE
DATA ENTRY ON SEPT.30, 2002
TWP 14S, RNG 21E, SEC. 26, 27, 34, & 35

- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

09/30/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-137 V2

WATER RIGHT NUMBER: 45-137 V2

Owner Type	Name and Address
Current Owner	SHOULDER 3 RANCHES INC PO BOX 218 OAKLEY, ID 83346 (208)862-3375

Priority Date: 05/31/1877

Basis: Decreed

Status: Active

Source	Tributary
TRAPPER CREEK	GOOSE CREEK

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION	07/02	11/01	0.400 CFS	
IRRIGATION	04/01	07/01	2.000 CFS	
		Total Diversion:	2.000 CFS	

Location of Point(s) of Diversion

TRAPPER CREEK SE1/4SW1/4NW1/4 Sec. 34, Twp 14S, Rge 21E, B.M.

CASSIA County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	21E	26											27.9						27.9
14S	21E	27																7.6	7.6
14S	21E	34	21.2	12.1	9.7					.6									43.6
14S	21E	35						1.2											1.2

Total Acres: 80.3

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:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-137 V2

1.	Quantity	USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.8 CFS. COMBINED RIGHT NOS.: 45-137, 45-138, & 45-13488.
2.	Place of Use - Irrigation	USE OF THIS RIGHT WITH RIGHT NO. 45-138 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 69.6 ACRES IN A SINGLE IRRIGATION SEASON.
3.	Place of Use - Irrigation	USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 80.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-137, 45-138, & 45-13488.
4.	Purpose of Use	THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. JROBERTS 9/30/2002 Basis of Recommendation
Comment: This recommendation is based on the decree, with the extra 10.7 claimed acres recommended to beneficial use right 45-13488.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Priority Date	9/30/2002 2:31:18 PM	JROBERTS			Active
POD	9/30/2002 2:32:32 PM	JROBERTS			Active
Source	9/30/2002 2:43:54 PM	JROBERTS			Active
POU	9/30/2002 2:46:15 PM	JROBERTS			Active
Use	9/30/2002 2:47:26 PM	JROBERTS			Active
Season	9/30/2002 2:55:54 PM	JROBERTS			Active
Quantity	9/30/2002 2:56:56 PM	JROBERTS			Active
Season	9/30/2002 3:49:09 PM	JROBERTS			Active
Summary			09/30/2002	JROBERTS	Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-137 V2

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
POD	9/30/2002 2:32:32 PM	JROBERTS	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Priority Date	9/30/2002 2:31:19 PM	JROBERTS	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	9/30/2002 2:43:04 PM	JROBERTS	Edited point location
POD	9/30/2002 2:43:24 PM	JROBERTS	Edited PLS
Source	9/30/2002 2:43:55 PM	JROBERTS	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	9/30/2002 2:46:16 PM	JROBERTS	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (No) 8. Can the claim be verified as an accomplished transfer? (Yes) 9. Does the claim include an enlargment in the POU? (Yes) 10. Was an enlargment claim filed? (Yes) 13. Does the file contain all the necessary information to verify the POU? (Yes) 14. Is a POU remark and/or condition required? Description for Question 9 - Description for Question 13 - True
POU	9/30/2002 2:47:02 PM	JROBERTS	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-137 V2

Use	9/30/2002 2:47:26 PM	JROBERTS	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	9/30/2002 2:55:54 PM	JROBERTS	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (No) 18. Is a Period of Use remark and/or condition required?
Season	9/30/2002 3:49:09 PM	JROBERTS	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Summary	9/30/2002 3:56:37 PM	JROBERTS	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-137 V2

Quantity	9/30/2002 2:56:57 PM	JROBERTS	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required?

Jones, Doug

From: Merritt, Allen
Sent: Tuesday, December 18, 2001 3:29 PM
To: Jones, Doug
Subject: FW: SRBA Recommendation for 45-137 & 45-138

-----Original Message-----
From: Skaggs, Pam
Sent: Tuesday, December 18, 2001 3:24 PM
To: Merritt, Allen
Subject: SRBA Recommendation for 45-137 & 45-138

Hi Allen,

I began a review of Transfer 5752/66119, Shoulder 3 Ranches Inc, and have questions that Jeff felt should be answered by the AJ staff prior to issuing a transfer approval.

Rts 45-137 & 45-138 were decreed originally to the same land, described only by QQ with no specific acres listed. SRBA claims have 68.8 acres in the original QQs and 36.4 acres listed in additional QQs.

When reviewing transfers of claims based on WRs, I compare the two looking for expansion. It's not unusual to find that acres have shifted under these old decreed rights over time. However, looking at the decreed QQs on the arc view map shows possible irrigated acres in a relatively confined area. There doesn't appear to be "historically irrigated acres" that may have been retired as the system changed to include other QQs, but possibly an expansion of the original system. If you have other information about these rights that would clarify this matter, please let me know.

Otherwise....Since our approval will create a recommendation, Jeff felt that this transfer was a good candidate to have the claims investigated & recommendations made by the SRBA prior to our transfer approval. We can approve the transfer with reduced acres in a permissible place of use if the rights are recommended with lesser acres.

Could you discuss with Doug Jones & let me know what kind of response time to expect. I will HOLD processing the application until I hear from you &/or receive recommendations from AJ staff. Call if you have questions.

Pam

PS: Merry Christmas!

GIS & Rec. 105.2
Claims 105.2
Decreed 69.6
→ Enlargement 35.6

RIGHT NO

	TNS	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
GIS	14S	21E	26									15.5	5	27.9	3.6					52
Claims 137+138												16.3	5	27.9	3.6					52.8
Decrees 137+138														X						27.9
Enlargement												~~15.5~~ BLM	~~5~~ BLM		~~3.6~~ BLM					24.1

RIGHT NO

	TNS	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
GIS	14S	21E	27																8.4	8.4
Claims 137+138																			7.6	7.6
Decrees 137+138																			X	8.4

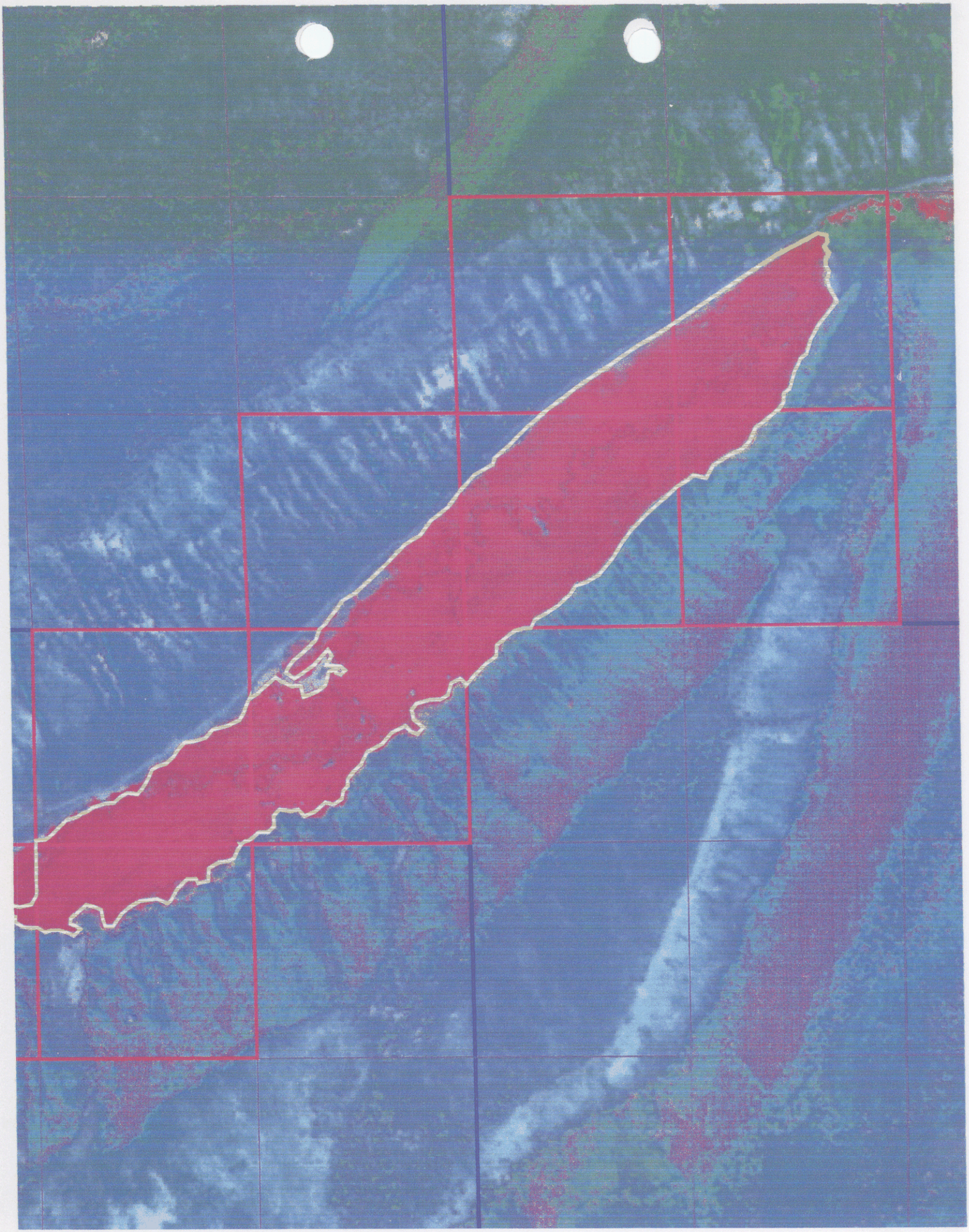
RIGHT NO

	TNS	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
GIS	14S	21E	34	21.2	12.1	9.7					.6									43.6
Claims 137+138				21.2	12.1	9.7					.6									43.6
Decrees 137+138				X	X															33.3
Enlargement						9.7					.6									10.3

RIGHT NO

	TNS	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
GIS	14S	21E	35						1.2											1.2
Claims 137+138									1.2											1.2
no Decrees																				—
Enlargement																				1.2


BLM
BLM
BLM
15.5 Ac.
5 Ac.
3.6 Ac.
27.9 Ac
8.4 Ac.
1.2 Ac.
21.2 Ac
12.1 Ac.
9.7 Ac



08/13/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-137

WATER RIGHT NUMBER: 45-137

Owner Type	Name and Address
Current Owner	ESTATE OF JAMES F WALKER
	, ID
Current Owner	A G NELSON
	, ID

Priority Date: 05/31/1877
Basis: Decreed
Status: Active

Source	Tributary
TRAPPER CREEK	GOOSE CREEK

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION	4/01	7/01	2.000 CFS	
IRRIGATION	7/02	11/01	0.400 CFS	
		Total Diversion:	2.000 CFS	

Location of Point(s) of Diversion

TRAPPER CREEK

Place of Use

IRRIGATION Within CASSIA County

T14S R21E S26	SWSW	T14S R21E S27	SESE
T14S R21E S34	NENE	T14S R21E S34	NWNE

Conditions of Approval:

Remarks:

Comments:

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-137

Dates and Other Information:

Licensed Date:
Decreed Date: 2/21/1925
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 45C
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status

Verification Log:

Element	Date Time Stamp	Reviewer	Log text

Log for claim A45-00137

Spatial Dynamics MWY

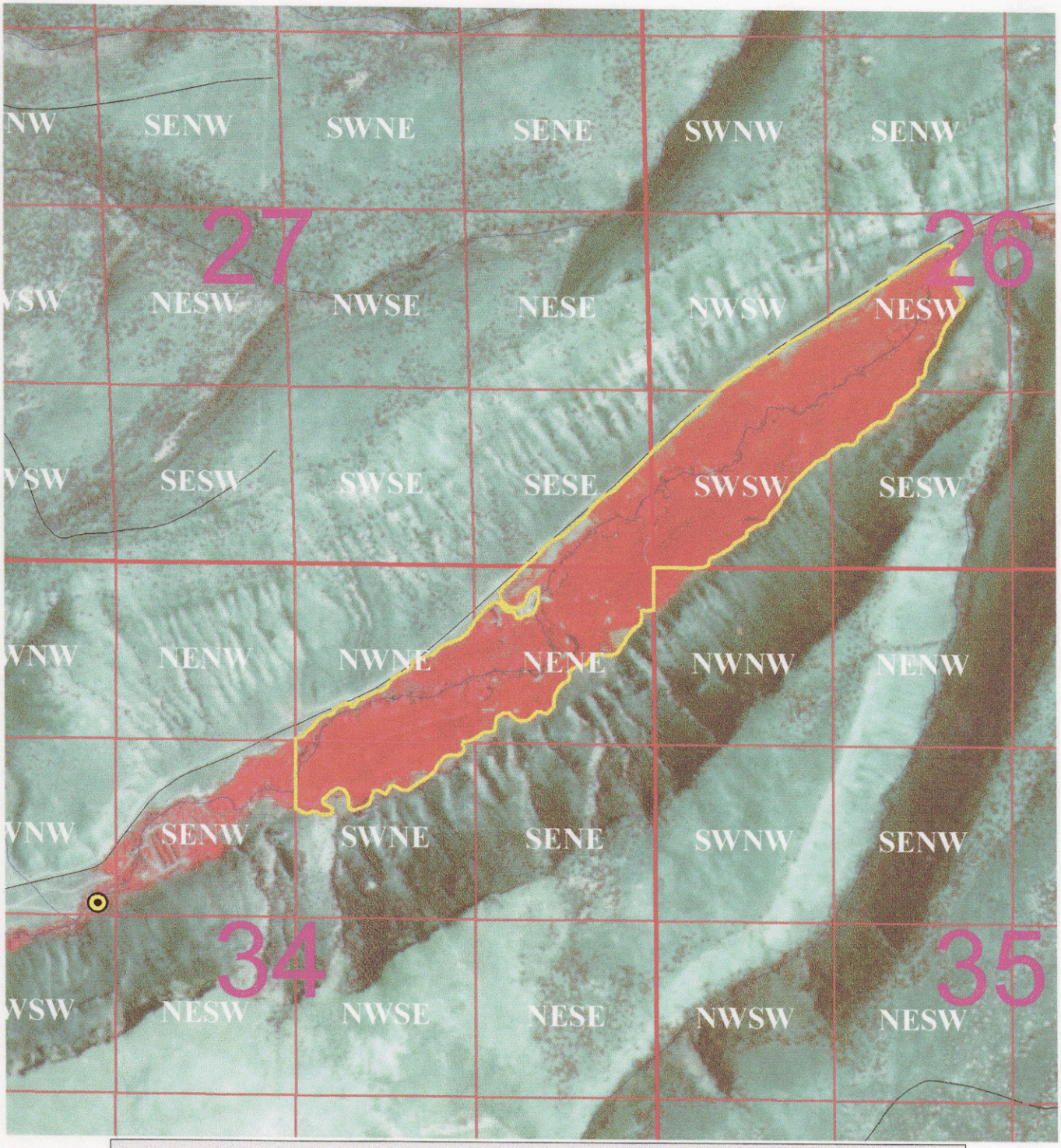
2/28/00

T	R	SEC	QQ	Acres Claimed	Acres Found	COMMENT
~~14~~	~~21~~	~~26~~	~~NESW~~	~~10~~	~~15~~	
~~14~~	~~21~~	~~26~~	~~NWSW~~	~~7~~	5.1	
14	21	26	SWSW	20	28	
~~14~~	~~21~~	~~26~~	~~SESW~~	~~5~~	~~3.5~~	
14	21	27	SESE	8	8.8	
14	21	34	NENE	15	23	
14	21	34	NWNE	15	13	
14	21	34	SWNE	10	10	
			Totals:	90	106.4	

Water Right Claim Number A45-00137

02/28/2000

Township , 14S21E



Legend

- Irrigated Area
- Place of Diversion
- Section line
- Quarter Section Line
- Roads
- Streams and canals

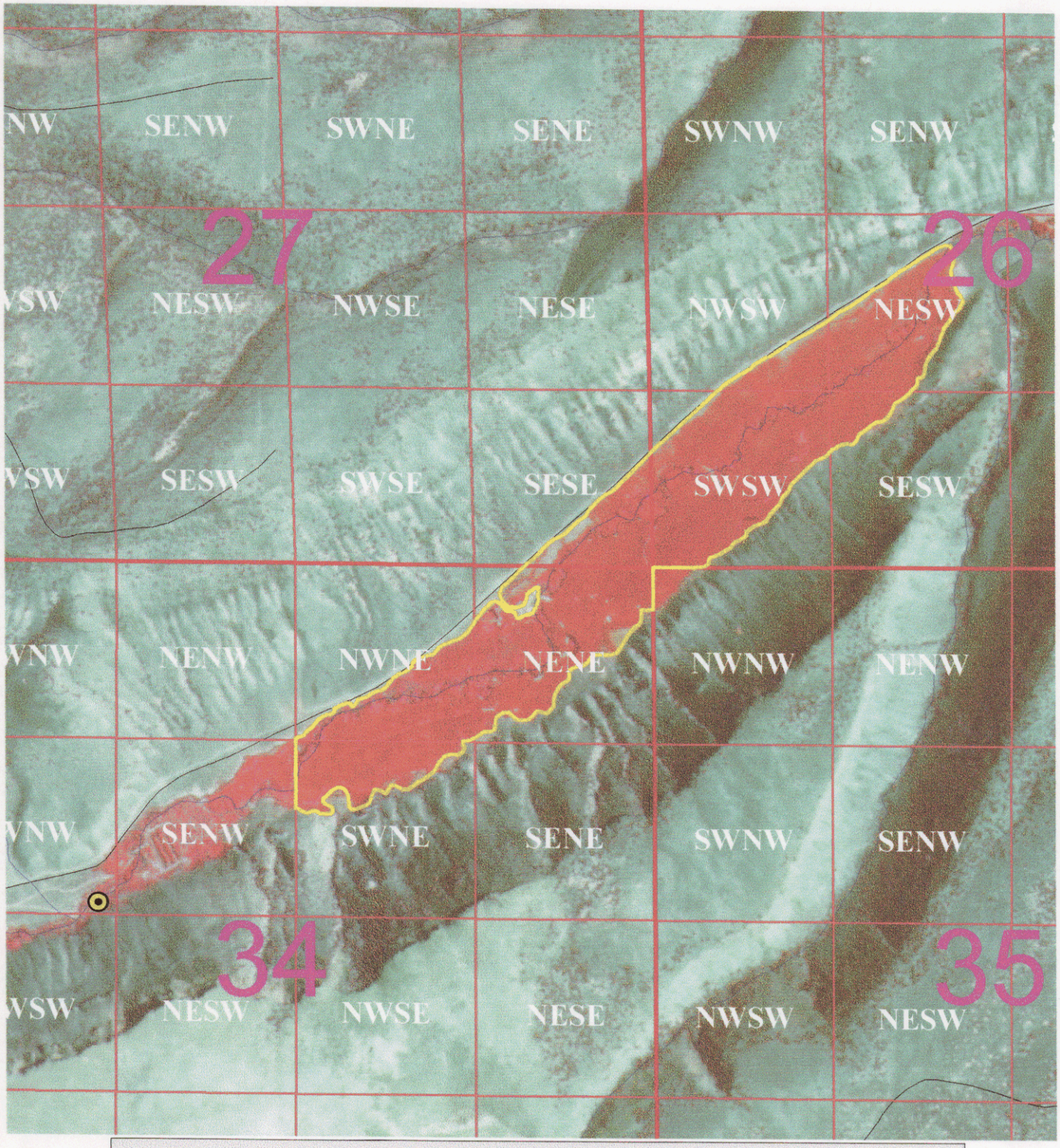
N

800 0 800 1600 Feet

Water Right Claim Number A45-00137

02/28/2000

Township , 14S21E



Legend

- Irrigated Area
- Place of Diversion
- Section line
- Quarter Section Line
- Roads
- Streams and canals

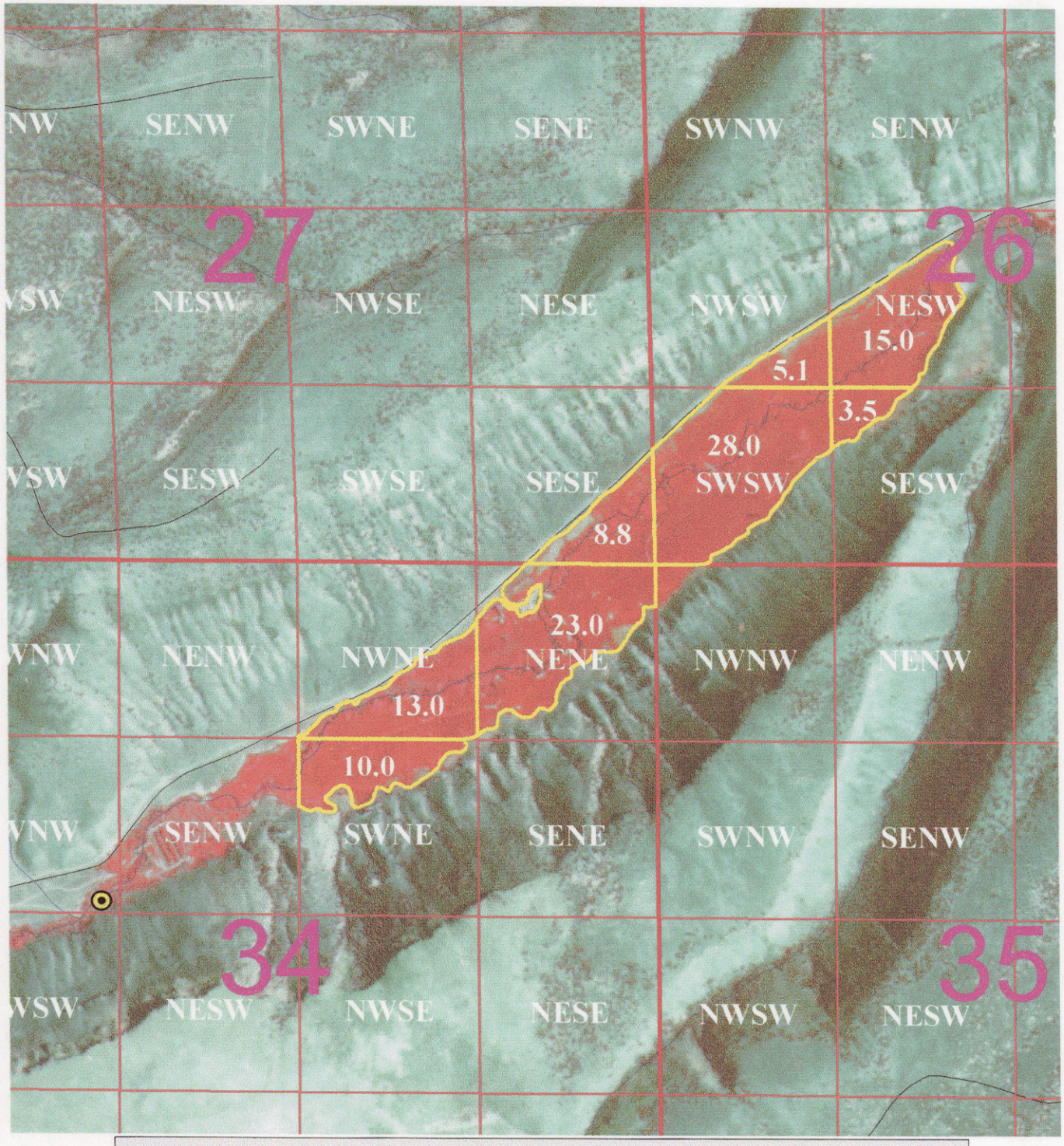
N

800 0 800 1600 Feet

Water Right Claim Number A45-00137

02/28/2000

Township , 14S21E



Legend

- Irrigated Area
- Place of Diversion
- Section line
- Quarter Section Line
- Roads
- Streams and canals

N

800 0 800 1600 Feet

Water Right Claim Number A45-00137

02/28/2000

Township , 14S21E



Legend

- Irrigated Area
- Place of Diversion
- Section line
- Quarter Section Line
- Roads
- Streams and canals

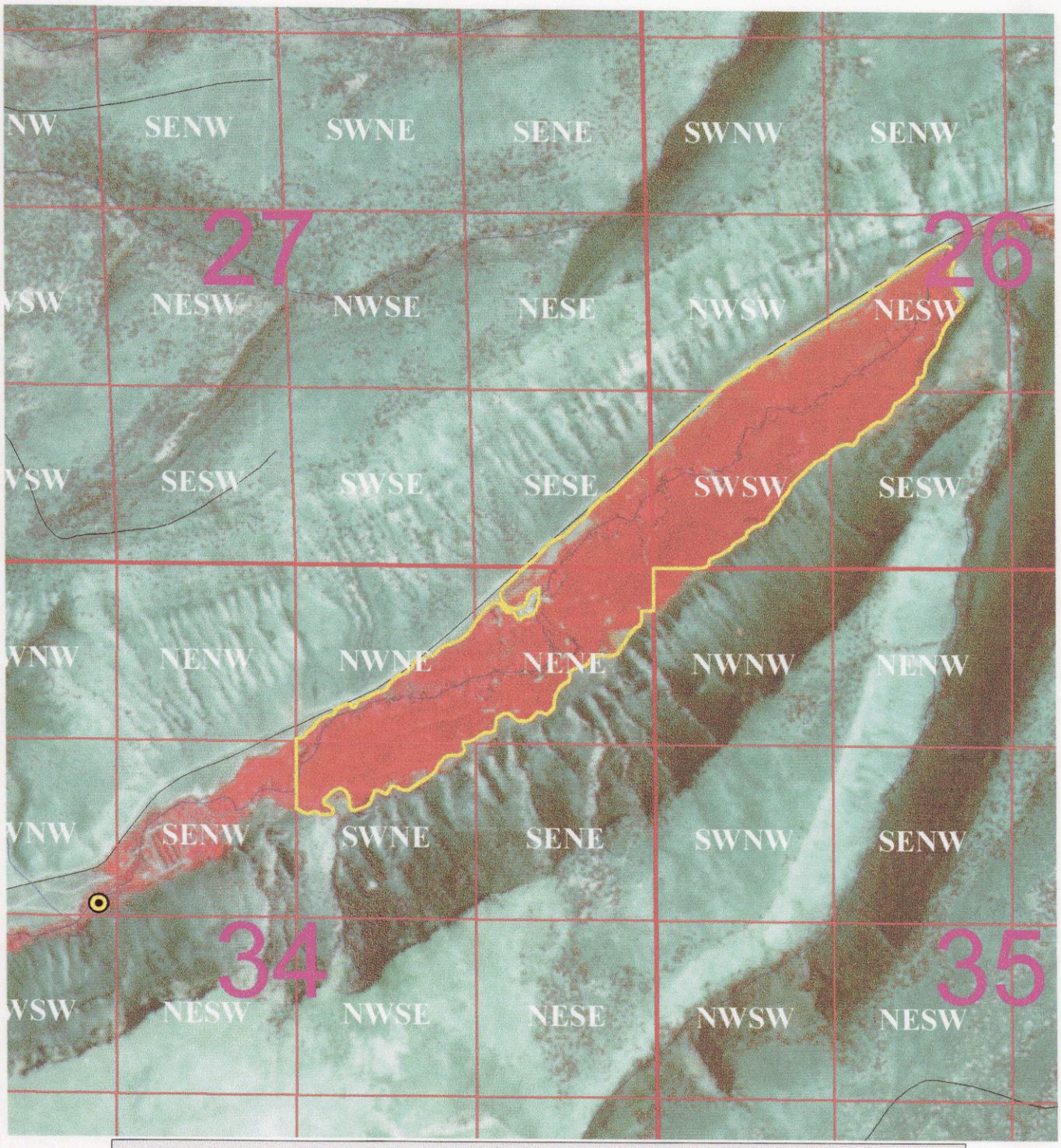
N

800 0 800 1600 Feet

Water Right Claim Number A45-00137

02/28/2000

Township , 14S21E



OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	SHOULDER "3" RANCHES INC	05/31/1877	IRRIGATION	04-01	07-01	2.000 CFS	
			IRRIGATION	07-02	11-01	0.400 CFS	
					TOTAL DIVERSION:	2.000 CFS	
					CONSUMPTIVE USE:		180.00 AFA

Water Source: TRAPPER CREEK Tributary to: GOOSE CREEK Stage: DECREED

Point(s) of Diversion: T14S R21E S34 SESWNW CASSIA County

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE				
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
14S 21E 26									10	07	20	05					42.0
14S 21E 27																08	8.0
14S 21E 34	15	15	10														40.0
															TOTAL ACRES		90.0

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE				
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
14S 21E 26									10	07	20	05					42.0
14S 21E 27																08	8.0
14S 21E 34	15	15	10														40.0

POU County: CASSIA

Non-Irrigation Uses: S/500 RANGE

Other Rights: A45-00138

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A45-00138 A45-07360

Other Water Rights Listing Overlapping Place(s) of Use:
A45-00138

Dates: Exam Made Date: Verified Date: 12/09/1985 Objection Filed Date:

Misc: Water District Number: 45C Field Inspection Flag:
Presumption Flag: D

Audit: 05/05/89 CLELLAND 03/30/95 POST-STD