

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 45-13488
Date Received: 8/13/2002
Receipt No: 5025160
Received By: *A*

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name of Claimant(s)

SHOULDER 3 RANCHES INC
PO BOX 218
OAKLEY ID USA 83346

Phone: (208)862-3375

2. Date of Priority: 02/22/1925

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:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.43	

7. Total Quantity Appropriated is:
0.43 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.

This claim is an Enlargement of decreed rights 45-137 and 45-138 for 10.7 acres per IC 42-1426.

15. Basis of Claim: Beneficial Use

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 _____ Title

SHOWER 3 RANCHES, INC., that I have signed the foregoing Organization

document in the space below as PRESIDENT of _____ Title

SHOWER 3 RANCHES, INC. and that the statements contained in the Organization

foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

PRESIDENT SHOWER 3 RANCHES, INC.
Title and Organization

9-19-02
Date

State of Idaho)

County of Twin Falls) SS.

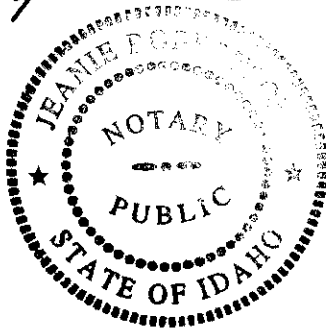
Subscribed and sworn (or affirmed) before me this 19th.

of Sept. 2002

[Signature]
Notary Public

Residing at Twin Falls, Id.

My commission Expires 9-23-06





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

Ident. Number 45-13488
Date Received: 8/13/2002
Receipt No: 5025/60
Received By: X

**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: 02/22/1925

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:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	1.08	

7. Total Quantity Appropriated is:
1.08 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	NE SW	IRRIGATION	16.3
			NW SW	IRRIGATION	5
			SW SW	IRRIGATION	27.9
			SE SW	IRRIGATION	3.6
				Section Acres	52.8

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	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:

14. Remarks:

This claim is an Enlargement of decreed rights 45-137 and 45-138 for 35.6 acres per IC 42-1426.

15. Basis of Claim: Beneficial Use

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 _____ Title

SHOULDER 3 RANCHES, INC. that I have signed the foregoing 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]
Signature of Authorized Agent

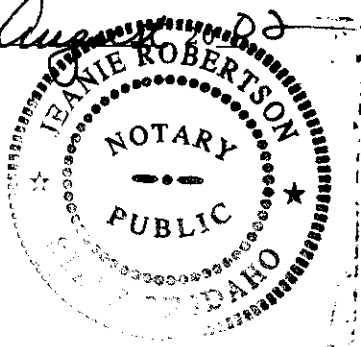
PRESIDENT SHOULDER 3 RANCHES, INC.
Title and Organization

8-13-02
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 13th.

of August 13, 2002



Jeanie Robertson
Notary Public

Residing at Twin Falls, ID

My commission Expires 9-23-06

Idaho Department of Water Resources Receipt

Receipt ID S025160

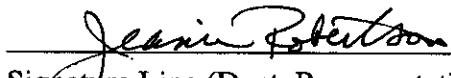
Payment Amount \$50.00 Date Received 8/13/2002 10:31:36 AM Region Southern Status ☐
Payment Type Cash

Payer WHITELEY ROBERT, SHOULDER 3 RANCHES

Comment Enlargement Claim 45-13488

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	ADJUDICATION FILING FEE	0337	44503	1155	


Signature Line (Dept. Representative)

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

Water right number: 45-13488

SHOULDER 3 RANCHES INC

PO BOX 218

OAKLEY ID 83346

Telephone Number: ~~(208) 862-3375~~ 208 862 3377

RECEIVED
MAY 26 2004
Department of Water Resources
Southern Region

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:

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 4-19-04

SIGNATURE:

Please print your name:

Robert E. Whitely

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

JK

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.

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:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
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.

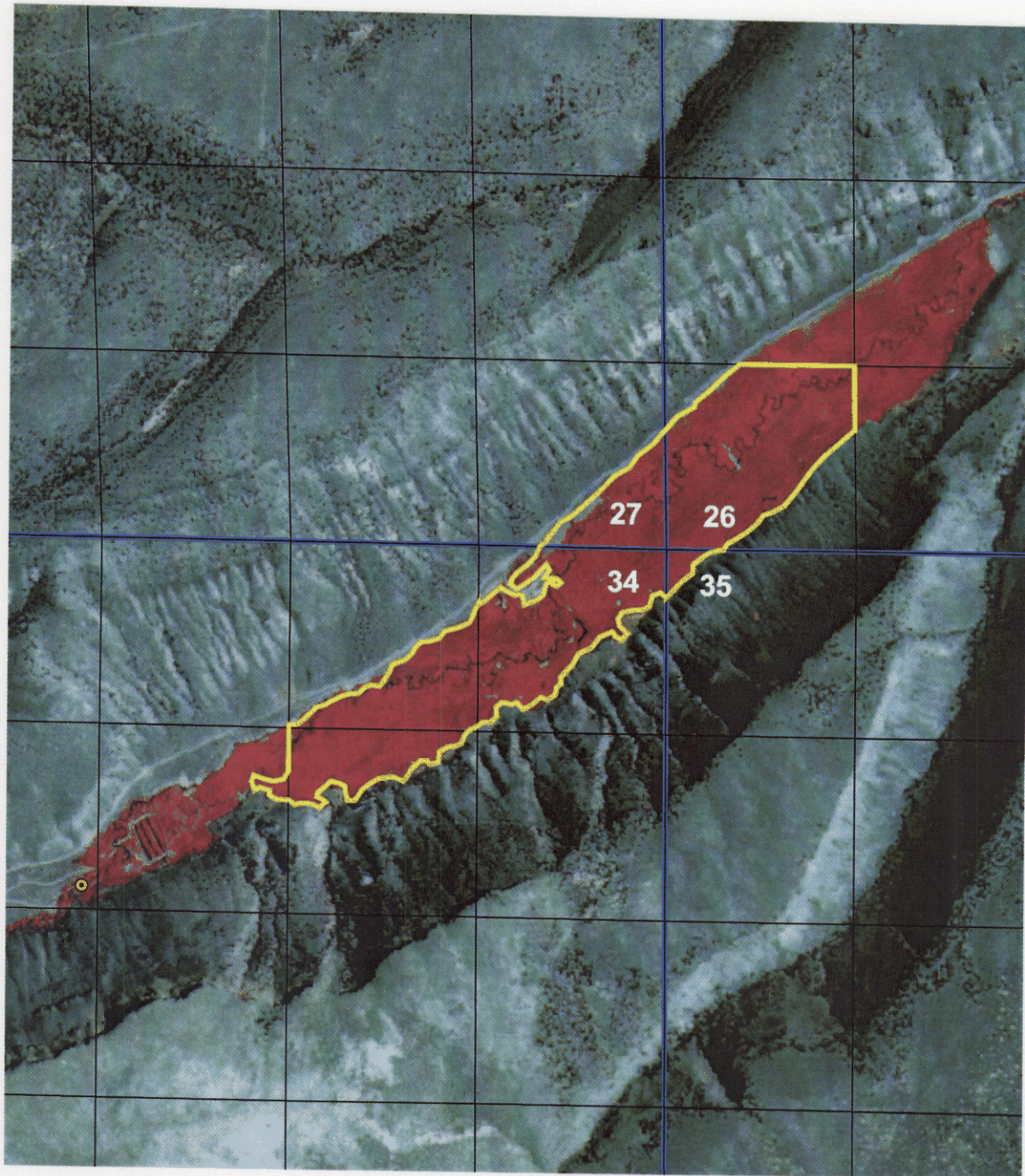
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 10.7 ACRES WITHIN THE PLACE OF
USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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



0 1320 2640 Feet



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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-13488 V1

WATER RIGHT NUMBER: 45-13488 V1

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

Priority Date: 02/22/1925
 Basis: Beneficial Use
 Status: Active

<u>Source</u>	<u>Tributary</u>
TRAPPER CREEK	GOOSE CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.370 CFS	
	<u>Total Diversion:</u>	0.370 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:

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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-13488 V1

2. 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.
3. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 10.7 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

1. JROBERTS 9/30/2002 Basis of Recommendation

Comment: This recommendation recognizes the 10.7 extra acres not in the original decreed place of use and claimed under decreed rights 45-137 & 45-137. It is recommended as a beneficial use right, one day junior to the decree since these acres appear to have been historically irrigated yet were not decreed.

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:
 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:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	9/30/2002 4:42:05 PM	JROBERTS			Active
POD	9/30/2002 4:42:50 PM	JROBERTS			Active
Source	9/30/2002 4:44:16 PM	JROBERTS			Active
POU	9/30/2002 4:45:31 PM	JROBERTS			Active
Use	9/30/2002 4:46:31 PM	JROBERTS			Active
Season	9/30/2002 4:47:25 PM	JROBERTS			Active
Quantity	9/30/2002 4:48:10 PM	JROBERTS			Active
Quantity	9/30/2002 4:49:41 PM	JROBERTS			Active
Summary			09/30/2002	JROBERTS	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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10/01/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-13488 V1

Priority Date	9/30/2002 4:42:05 PM	JROBERTS	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Aerial photos show these extra acres were historically irrigated, but not decreed, so the priority date will be one day after the decree was signed.
POD	9/30/2002 4:42:50 PM	JROBERTS	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (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?
POD	9/30/2002 4:43:29 PM	JROBERTS	Edited PLS
Source	9/30/2002 4:44:16 PM	JROBERTS	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Same as decreed rights 45-137 & 45-138.
POU	9/30/2002 4:45:31 PM	JROBERTS	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (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 13 - GIS interpretation of aerial photos based on the claim and decrees.

10/01/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-13488 V1

Use	9/30/2002 4:46:31 PM	JROBERTS	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Same as decreed rights 45-137 & 45-138.
Season	9/30/2002 4:47:25 PM	JROBERTS	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	9/30/2002 4:48:10 PM	JROBERTS	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (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? Description for Question 7 - No additional diversion, just extra acres.
Quantity	9/30/2002 4:49:41 PM	JROBERTS	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? Description for Question 7 - No additional diversion, just extra acres. (2.8 cfs divided by 80.3 ac X 10.7 ac = 0.37 cfs)

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-13488 V1

Summary	9/30/2002 4:52:42 PM	JROBERTS	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (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?
POU	9/30/2002 5:03:27 PM	JROBERTS	Edited shape boundary
POD	9/30/2002 4:43:11 PM	JROBERTS	Edited point location
POU	9/30/2002 4:45:47 PM	JROBERTS	Edited shape boundary

08/13/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-138

WATER RIGHT NUMBER: 45-138

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

Priority Date: 05/31/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
TRAPPER CREEK	GOOSE CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 7/01	0.800 CFS	
	<u>Total Diversion:</u>	0.800 CFS	

Location of Point(s) of Diversion

TRAPPER CREEK

Place of UseIRRIGATION 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:

$$\begin{array}{r} 2.4 \\ 1.8 \\ \hline 3.2 \end{array} \left\{ \begin{array}{l} 45-131 \\ 45-138 \end{array} \right.$$

$$3.2 \div 105.2 \times 35.6 = 1.08 \text{ cfs}$$

 amended:

$$3.2 \div 80.3 \times 10.7 = 0.426$$

$$2.8 \div 80.3 \times 10.7 = 0.37 \text{ cfs}$$

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-138

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:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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08/13/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-137

WATER RIGHT NUMBER: 45-137

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

Priority Date: 05/31/1877

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
TRAPPER CREEK	GOOSE CREEK

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

Location of Point(s) of Diversion

TRAPPER CREEK

Place of UseIRRIGATION 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:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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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!



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 2, 2002

ROBERT WHITELEY
2000 S 700 W
OAKLEY ID 83346

RE: Ownership Changes, Amendments, Enlargement Claims

Dear Mr. Whitely,

I have been reviewing claims in the name of W. B. Whiteley and have a few questions. There are a number of claims, of which I have enclosed copies, which I think we need to do ownership changes on. If so, perhaps you can complete the ownership change form, enclose deeds, signatures, maps, etc. and return them to me.

I also think we may need to amend 45-10466 because it claims 5 acres in the NENE and 20 acres in the NWNE of Section 32, T13S, R22E. According to Cassia County ownership records, this land is owned by Val Eklund.

Transfer # 5752 was filed in May 2001 on rights 45-137 and 45-138 out of Trapper Creek to change the point of diversion. (These are under the name of Shoulder "3" Ranches Inc.) Before this transfer can be processed, you will need to file an Enlargement Claim. 105.2 acres were claimed but only 69.6 fall within the original decreed place of use. The extra 35.6 acres will need to be under this enlargement claim.

As you can see, there are several issues to go over. If you plan to be in Twin Falls sometime in the near future, **please give me a call first to set up an appointment.** I could meet with you in Oakley, but I think we will get more accomplished with the computers and records we have available here. Looking forward to hearing from you so we can resolve these issues soon.

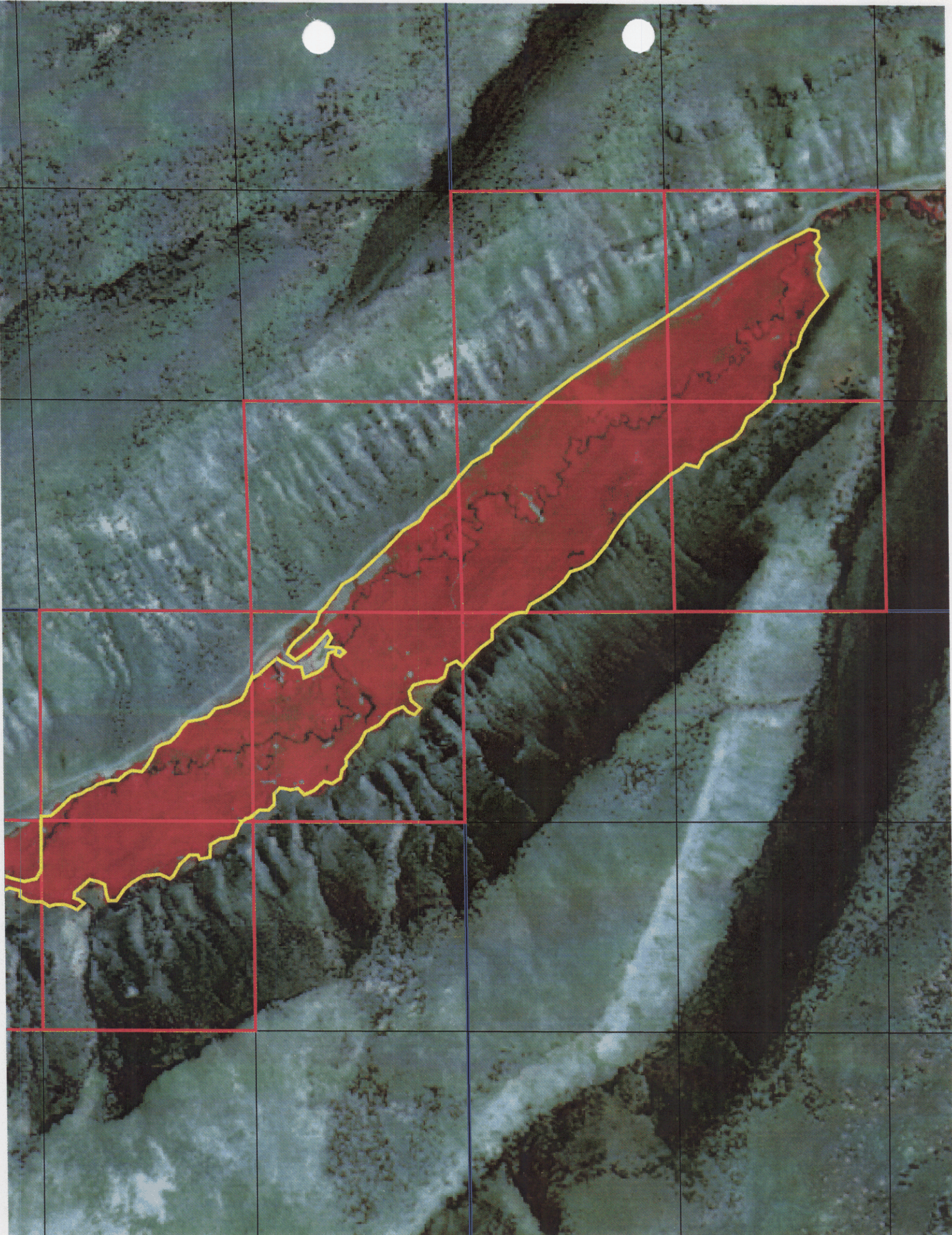
Sincerely,

Jeanie Robertson
Sr. Water Resource Agent

→ Enlargement 35.6

RIGHT NO				NE				NW				SW				SE				
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
G15	145	21E	35						1.2											1.2
Claims 137+138									1.2											1.2
no Decree																				—
Enlargement																				1.2





(34)

(34)

Shoulder 3
Ranches

ACE REALTY
910 THOMPSON

Shoulder 3
Ranches

(34)

(34)

T14S R21E Sec. 34

