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JAN 25 2005

DEPARTMENT OF
WATER RESOURCES

January 23, 2005

Carter Fritschle
Idaho Department of Water Resources
Statehouse Mail
P.O. Box 83720
Boise, ID 83720-0098

Subject: Evidence of Priority for Claims to Water Rights 37-19825 (Pioneer Reservoir) and 37-21291 (Kitsinger/Clover Creek Reservoir)

Dear Carter:

In response to your letter of April 12, 2004, I enclose a letter from the Bureau of Land Management relative to the above claims.

Right of Way for Pioneer Reservoir was granted to Pioneer Reservoir Company on February 19, 1909, and the proof of construction was completed October 31, 1923. We assume that the reservoir was constructed and receiving North Side canal spill on the claimed priority date of April 1, 1918 for claim 37-19825.

Right of Way for Clover Creek Reservoir (a.k.a. Kitsinger Reservoir) was granted to Clover Creek Reservoir Company on May 15, 1907. We assume that the reservoir was constructed and receiving North Side canal spill on the claimed priority date of April 1, 1918 for claim 37-21291.

Sincerely,

Terry M. Scanlan, P.E., P.G.

Cc: Teresa McCallum
Bruce Smith



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Shoshone Field Office
400 West F Street
Shoshone, Idaho 83352-5284
(208) 732-7200
<http://www.id.blm.gov/offices/shoshone>



In Reply Refer To:
2800 (ID076)
IDH-0-68/IDI-885

July 16, 2004

Teresa McCallum
18196 SE Wilson Road
Glenns Ferry, ID 83623

Dear Ms. McCallum:

I enclosed what information we have for the Pioneer (IDH-0-68) and Clover Creek (IDI-885) Reservoirs. There is very limited information in the case files.

Right-of-way case IDH-0-68 was granted to Pioneer Reservoir Co. on February 19, 1909. (Under "03-03-1891; 026 STAT 1101; 43 USC 936-95") The proof of construction of the reservoir was completed October 31, 1923. We do not have a current address or board members for the company. The last correspondence was in 1923. The two holders of the water shares in the reservoir as of May 10, 2000 were C.K. Kast Cattle Co. (K Lynn Bennett) with 8/9 of the water and Gene Shaw with 1/9 of the water share.

Right-of-way case IDI-885 was granted to Clover Creek Reservoir Co. on May 15, 1907 (Under "03-03-1891; 026 STAT 1101; 43 USC 946-951"). The last notation of ownership was researched in August 16, 2001. The records showed C.K. Kast Cattle Co. as the current owners.

In order to keep our records current, a letter and a show of ownership would be appreciated. We could then note the files and bring them up-to-date. You are welcome to come to the office to view these files. If you have any questions or concerns, please feel free to contact Debbie Kovar, at 208-732-7201

Sincerely,

Nick Vander Voet

for Oliver A. Payne
Field Manager

**DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
CASE RECORDATION
(LIVE) Serial Register Page**

Run Date/Time: 07/16/04 01:29 PM

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01 03-03-1891;026STAT1101;43USC846-951

Total Acres

Serial Number

Case Type 287100: ROW-IRRIGATION FAC

0.001

IDH--- 0 000068

Commodity 071: NON-ENERGY FACILITIES

Case Disposition: AUTHORIZED

Serial Number: IDH--- 0 000068

Name & Address

Int Rel

%Interest

PIONEER RESERVOIR CO

UNKNOWN ID 00000

HOLDER

100.000000000

Serial Number: IDH--- 0 000068

Mer Twp Rng	Sec	BType	SNr Suf	Subdivision	District/Resource Area	County	Mgmt Agency
08 0050S 0120E 017	ALIQ	01		N2W2,SE1W,SWSE,E2SW	USRD SHOSHONE FO	GOODING	BUREAU OF LAND MGM
08 0050S 0120E 017	ALIQ	02		NENW,NWSE SESE	USRD SHOSHONE FO	GOODING	PRIVATE LANDS
08 0050S 0120E 018	ALIQ			SENE,NESE	USRD SHOSHONE FO	GOODING	BUREAU OF LAND MGM
08 0050S 0120E 020	ALIQ			N2NE	USRD SHOSHONE FO	GOODING	BUREAU OF LAND MGM
08 0050S 0120E 021	ALIQ			NWNE,N2NW	USRD SHOSHONE FO	GOODING	BUREAU OF LAND MGM

Serial Number: IDH--- 0 000068

Act Date	Code	Action	Action Remarks	Pending Office
04/10/1908	124	ADLN RECD		
02/19/1909	307	ROW GRANTED-ISSUED		
10/31/1923	287	PROOF CONST/USE ACPT		
05/01/1991	273	AUTOMATED RECORD VERIFY	DB/KS	
08/10/2001	250	COMPLIANCE APPROVED	DK	
02/19/2005	853	COMPL/REVIEW DUE DATE	DK	SHOSHONE FIELD OFFICE
01/01/9999	763	EXPIRES	KS	

Line Nr Remarks

Serial Number: IDH--- 0 000068

0001 ROW RESERVOIR,RESERVOIR CAP 1152 AC FT
0002 ACPPAGE UNKNOWN

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

068

I. A. R. & R.
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

WASHINGTON

October 31, 1923.

IN REPLY PLEASE REFER TO

BY MAIL 068 BY MAIL

Pioneer Reservoir	: Proof of construction
J. J. Reager	: accepted.
Carl Smith, B.T.A.M.	: Assent signed.
Pioneer Reservoir Co.	

Register and Receiver,
Haley, Idaho.

Gentlemen:

This office by letter of September 12, 1923, required J. J. Reager and others to file proof of the construction of or relinquish the grant for the construction of Pioneer Reservoir in I. A. R. & R. 12 E., S. 11., under the act of March 3, 1891 (26 Stat., 1095) and map of which was approved February 19, 1909.

Under date of October 19, 1923, you transmitted the affidavit of the engineer who had charge of the construction of the project together with the certificate of the President of the Pioneer Reservoir Company apparently the same was in interest under the grant setting forth in general terms that the project has been constructed according to the approved map and field notes.

Wiley 069 "W" HMB.

The Company's certificate has not an impression
of a seal thereon but it is explained that the Company
has no seal.

The affidavit and certificate are subject to
proof of the completion of the project and the con-
ditions governing the grant are considered to have been
performed and it is assumed that the

is now your receipt and notice the parties in
interest thereof by ordinary mail being enclosed copy
of this letter for that purpose.

Very respectfully,

Commercial Bank.

10-11-01

Hailey 068

"F"
CCK

DEPARTMENT OF THE INTERIOR,

GENERAL LAND OFFICE,

WASHINGTON, D. C.

February 19, 1909.

ADDRESS ONLY THE
COMMISSIONER OF THE GENERAL LAND OFFICE.

J. E. Reagar et al. : Submitting map for approval.
right of way application. :

The Honorable,

The Secretary of the Interior.

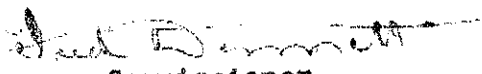
Sir:

The map and field notes of survey in duplicate, together with all the papers comprising the application filed by the above-named applicants under the act of March 3, 1891 (26 Stat., 1095) for right of way for the Pioneer Reservoir in T. 5 S., R. 12 E., B. M., in the Hailey, Idaho, land district, have been examined and are found to conform to the regulations and the map conforms to the township plats.

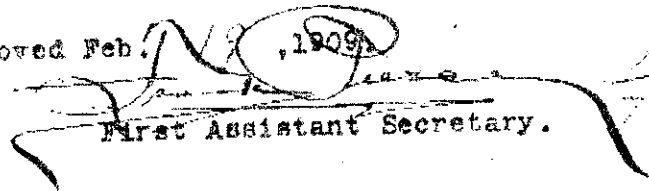
The lands affected by the proposed right of way are not within the limits of any national forest, and the Acting Director of the Reclamation Service has reported that there are no objections to the approval of the application.

I therefore recommend that the map herewith submitted showing the location of said reservoir site be approved, subject to all valid existing rights.

Very respectfully,


Commissioner.

Approved Feb. 19, 1909.


First Assistant Secretary.

**DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
CASE RECORDATION
(LIVE) Serial Register Page**

Page 2 of 5

Run Date/Time: 07/16/04 01:28 PM

01 03-03-1891;026STAT1101;43USC946-851

Total Acres
341.600

Serial Number
IDI--- 000885

Case Type 287100: ROW-IRRIGATION FAC

Commodity 971: NON-ENERGY FACILITIES

Case Disposition: AUTHORIZED

Serial Number: IDI--- - 000885

Name & Address

Int Rel

%Interest

KAST C K CATTLE CO

PO BOX 63

BLISS ID 83314

HOLDER

100.00000000

Serial Number: IDI--- - 000885

Mer Twp Rng	Sec	S Type B Nr Suf	Subdivision	District/Resource Area	County	Mgmt Agency
08 0050S 0110E 011	ALIO		N2NE	USRD SHOSHONE FO	ELMORE	BUREAU OF LAND MGN
08 0050S 0110E 012	ALIO		SW.NESE.W2SE.N2	USRD SHOSHONE FO	ELMORE	BUREAU OF LAND MGN
08 0050S 0110E 013	ALIO		N2.NESW	USRD SHOSHONE FO	ELMORE	BUREAU OF LAND MGN
08 0050S 0120E 018	ALIO		E2NE.NWNE.E2NW	USRD SHOSHONE FO	GOODING	BUREAU OF LAND MGN
08 0050S 0120E 018	LOTS		2	USRD SHOSHONE FO	GOODING	BUREAU OF LAND MGN

Serial Number: IDI--- - 000885

Act Date	Code	Action	Action Remarks	Pending Office
12/05/1906	124	APLN RECD	5/16 RF	
05/16/1907	307	ROW GRANTED-ISSUED		
09/20/1980	974	AUTOMATED SECOND VERIF	1B	
08/17/2003	950	COMPLIANCE APPROVED	DE	
01/01/9999	763	EXPIRES		

Line Nr Remarks

Serial Number: IDI--- - 000885

0001	ALL LEGAL DESCR - PORTION ONLY
0002	RESERVOIR & CANALS
0003	ELMORE COUNTY RECORDS RESEARCHED 8-16-01 SHOWED
0004	THE CURRENT LANDOWNERS AS KAST C.K. CATTLE CO.
0005	PREVIOUS LANDOWNERS WERE CLOVER CREEK RESERVOIR CO