



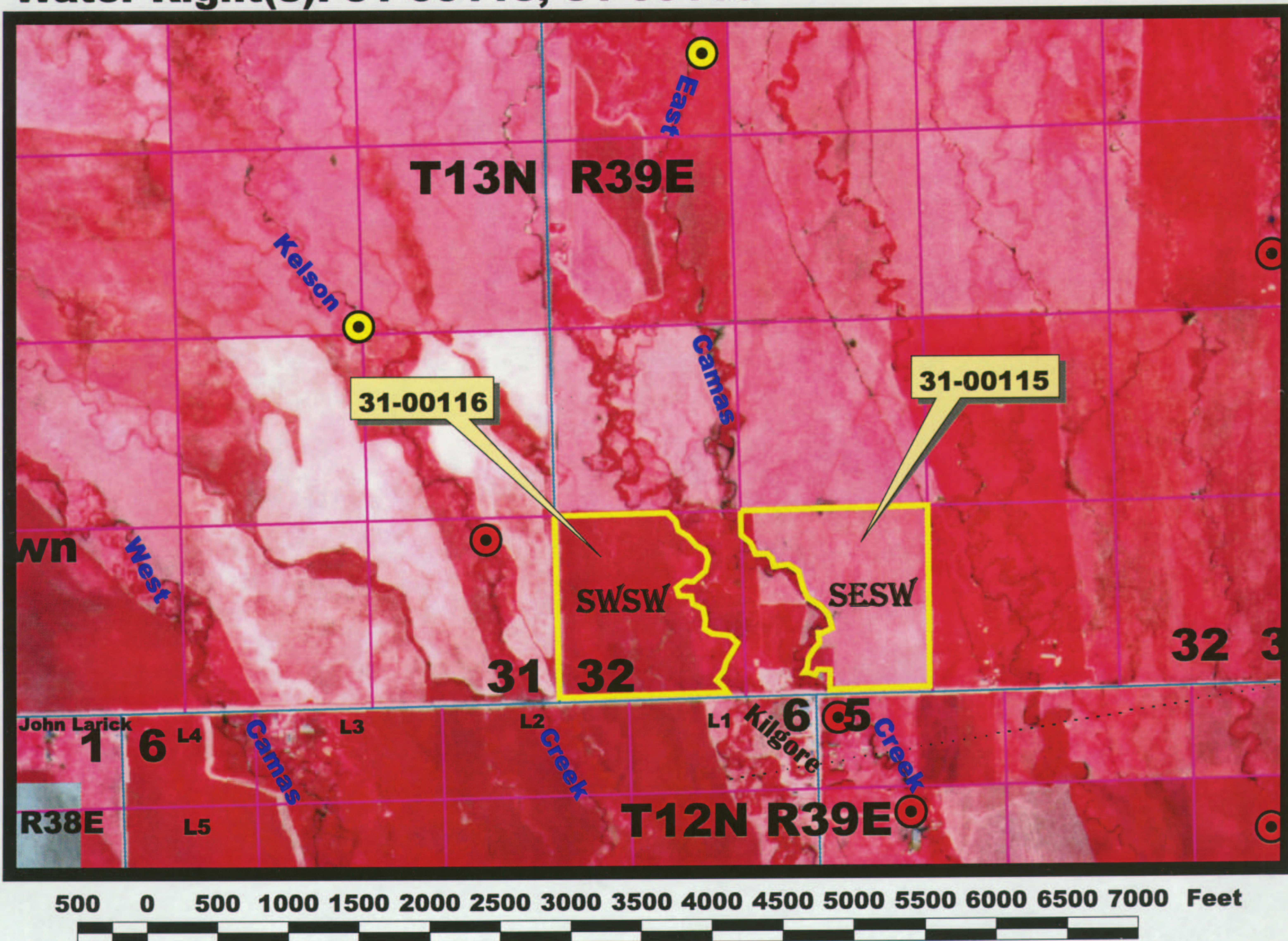
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Joe Knotwell

Water Right(s): 31-00115, 31-00116



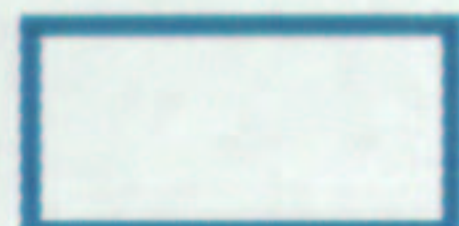
LEGEND



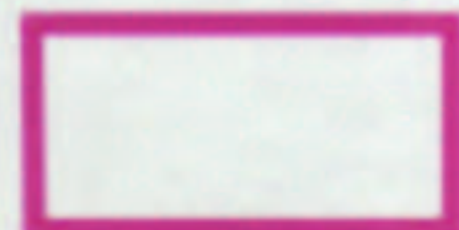
Point of Diversion

SESE

Place of Use



Section Line



Quarter-section line

Legal Description: T.13N., R.39E.
Sec. 32 SWSW, SESW

Point(s) of Diversion: T.13N., R.39E.
Sec. 31 SESWNE (31-00116)
Sec. 32 SENWNW (31-00115)



GIS Place of Use illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: June 2000

31 32

6/8/2K
ABR
CLG

~~No!~~
~~No!~~
East

T13N R39E

Camas

Joe Knotwell
31-00115,
31-00116

Kasen

4

31

32

31

27

L2

L1

6

5

Creek

T12N R39E

TH

Harold Siddoway
31-00133

Creek

Creek

31-100

31-000

31-000

31-000

30

29

31

32

T13N R39E

Joe Knotwell

31-00115

31-00116

SWSW

31

SESW

27

31

32

32

1

6

L4

L3

L2

L1

6

5

2N R38E

L5

T12N R39E

L6

L7

West

Camas

Creek

Creek

Kilgore

Creek

Creek



Joe Knotwell
31-00115, 31-00116

6/8/2K
ABR

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	R3E.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
13N	39E	32	SE	NW	NW		Clark	

SOURCE: E. Camas Cr

TRIB: Camas Cr

REVIEWED BY: JBR

DATE: 6/8/2K

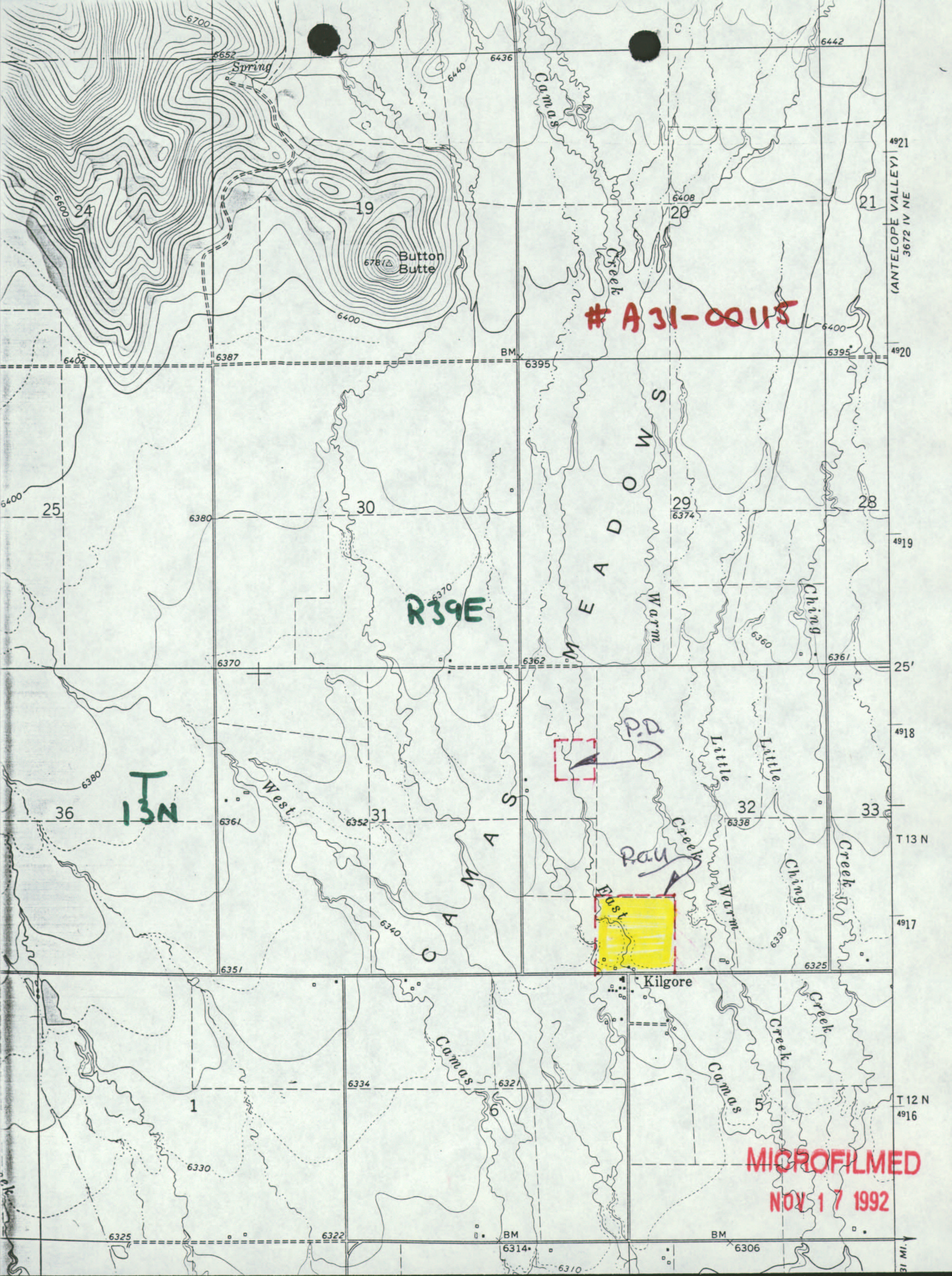
SYSTEM DESCRIPTION:

SIZE (1) photo page

WOODEN DIVERSION BEHIND CHECK DAM ON MAIN CHANNEL TO DITCH FOR FLOOD



KNOTWELL'S FIELD HEADGATE
IN SIDDOWAY'S FIELD.



#A31-00115

R39E

T13N

East

MICROFILMED
NOV 17 1992

E. R.
BRADSHAW

WILLIAM
HUNTER
A25
T18

JOHN
LARI
A3
T2

CLOYD
LEE
A112

JACK

30 29
31 32

T16
A23
BOYD

HAMILTON
A21
T14

29 28
32 33
1 432
2 22.1

PRICE

A22
T15

McCORMICK

ANDERS
INC.
A78
T43

MAX SIDDOWAY

PLACE OF USE

3 49.0
BLAIR
MARY

JOE KNOXWELL
00116
00115

A31-10036

32 33 FILMED

CLAM
DAVID HIRSCH A31-100

1992

01/19/2001

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

RIGHT NUMBER: 31-115

NAME AND ADDRESS: JOE S KNOTWELL
RAMONA KNOTWELL
BOX 133
DUBOIS, ID 83423

SOURCE: EAST CAMAS CREEK TRIBUTARY: CAMAS CREEK

QUANTITY: 0.6 CFS

PRIORITY DATE: 05/01/1896

POINT OF DIVERSION: T13N R39E S32 SENWNW Within CLARK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	05-01 10-31	0.60 CFS
STOCKWATER	05-01 10-31	0.03 CFS

PLACE OF USE:

IRRIGATION Within CLARK County
T13N R39E S32 SESW 27
STOCKWATER Within CLARK County
T13N R39E S32
SESW

27 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.

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

STOCKWATER: 100 CATTLE

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 31-115
Date Received: 5/6/88
Receipt No:
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RAMONA KNOTWELL Phone: (208)374-5218

BOX 133
DUBOIS ID USA 83423

JOE S KNOTWELL Phone: (208)374-5218

BOX 133
DUBOIS ID USA 83423

2. Date of Priority: 05/01/1896

3. Source: EAST CAMAS CREEK Trib. to: Camas Creek

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
13N	39E	32	SE NW NW	CLARK

5. Description of diverting works:

TREATED TIMBER HEADGATE & WEIR INSTALLED IN 1975. SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	05/01	10/31	0.6	
STOCKWATER	05/01	10/31	0.03	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 100

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13N	39E	32	SE	SW	STOCKWATER	
			SE	SW	IRRIGATION	27
					Section Acres	27
					Total Acres	27

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:

14. Remarks:

NEW HEADGATE INSTALLED UNDER SUPERVISION OF S.C.S. & A.S.C.S
HEADGATE DIMENSIONS: WIDTH-6FT, LENGTH-5FT, DEPTH-3FT
WEIR DIMENSIONS: WIDTH-3FT, LENGTH-4FT, DEPTH-2FT
APPLICANT FEELS DECREE IN ERROR . SEE DESCRIPTION OF DIVERSION POINTS IN ORIGINAL
DECREE AS THEY REFER TO THE WRONG CREEKS. ALSO SEE ATTACHED LETTER FROM PETER JENSEN
CIRCA SEPT. 28,1905
*** CLAIM AMENDED TO REFLECT DECREE AND WM DELIVERIES

STOCKWATER 100 HD CATTLE

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

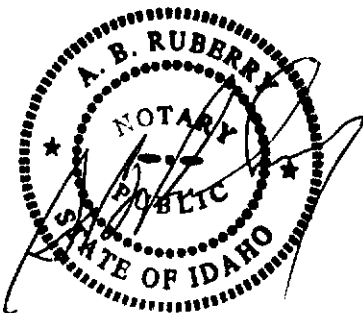
Signature of Claimant(s): Joe S. Knotwell Date: 9/20/00
_____ Date: _____

State of Idaho)
County of BONNIEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 20th
of SEPT. 2000 A. B. RUBERRY

Notary Public

Residing at POAND FAUS POAND
My commission Expires 9/23/03



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: A31-00115
Date Received: 5/06/1988
Receipt No: E000189

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOE S. KNOTWELL 208-374-5218
Address: BOX 133
DUBOIS, ID 83423

AND/OR
Name: RAMONA KNOTWELL 208-374-5218
Address: BOX 133
DUBOIS, ID 83423

2. Date of Priority: MAY 01, 1896

3. Source: EAST CAMAS CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	39E	32	NE	SW	NW		CLARK

5. Description of diverting works:
TREATED TIMBER HEADGATE & WEIR INSTALLED IN 1975. SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.800		

Stock Water

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	39E	32	SE	SW		IRR	40.0

Section Acres 40.0

A31-00115

Page 1

Date: 05/06/88

MICROFILMED

NOV 17 1992

A3100115



10. Place of Use: Continued

Total Acres 40.0

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:
A31-0116.

14. Remarks:

NEW HEADGATE INSTALLED UNDER SUPERVISION OF S.C.S. & A.S.C.S.

HEADGATE DIMENSIONS: WIDTH-6FT, LENGTH-5FT, DEPTH-3FT.

WEIR DIMENSIONS: WIDTH-3FT, LENGTH-4FT, DEPTH-2FT.

APPLICANT FEELS DECREE IN ERROR . SEE DESCRIPTION OF DIVERSION
POINTS IN ORIGINAL DECREE AS THEY REFER TO THE WRONG CREEKS. ALSO
SEE ATTACHED LETTER FROM PETER JENSEN CIRCA SEPT. 28,1905.

15. Basis of Claim: DECREED

Water Right Number: 310115

Case Number: 635

Court : EAST

Decree date: 11/01/1930

ERNEST SAUVE

Decree Plaintiff

vs

W. H. ABBOTT.

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Joe S. Knutson Date: May 6-88
Date: _____

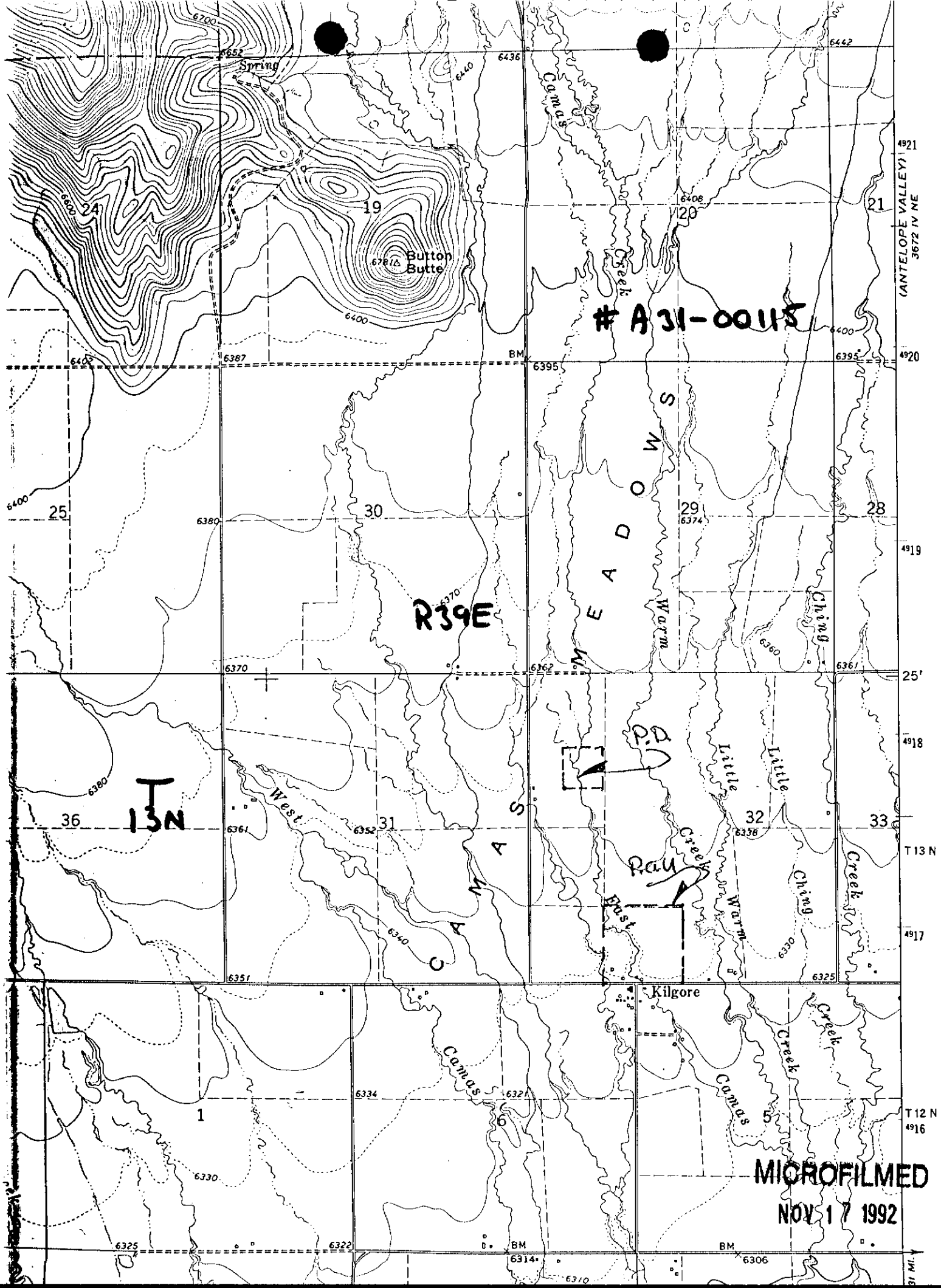
State of Idaho

County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of May 19 88 Dana Green
Notary Public

Seal

Residing at Rigby
My Commission Expires 4-22-1994



A 31-00115

R39E

T
13N

MICROFILMED
NOV 17 1992



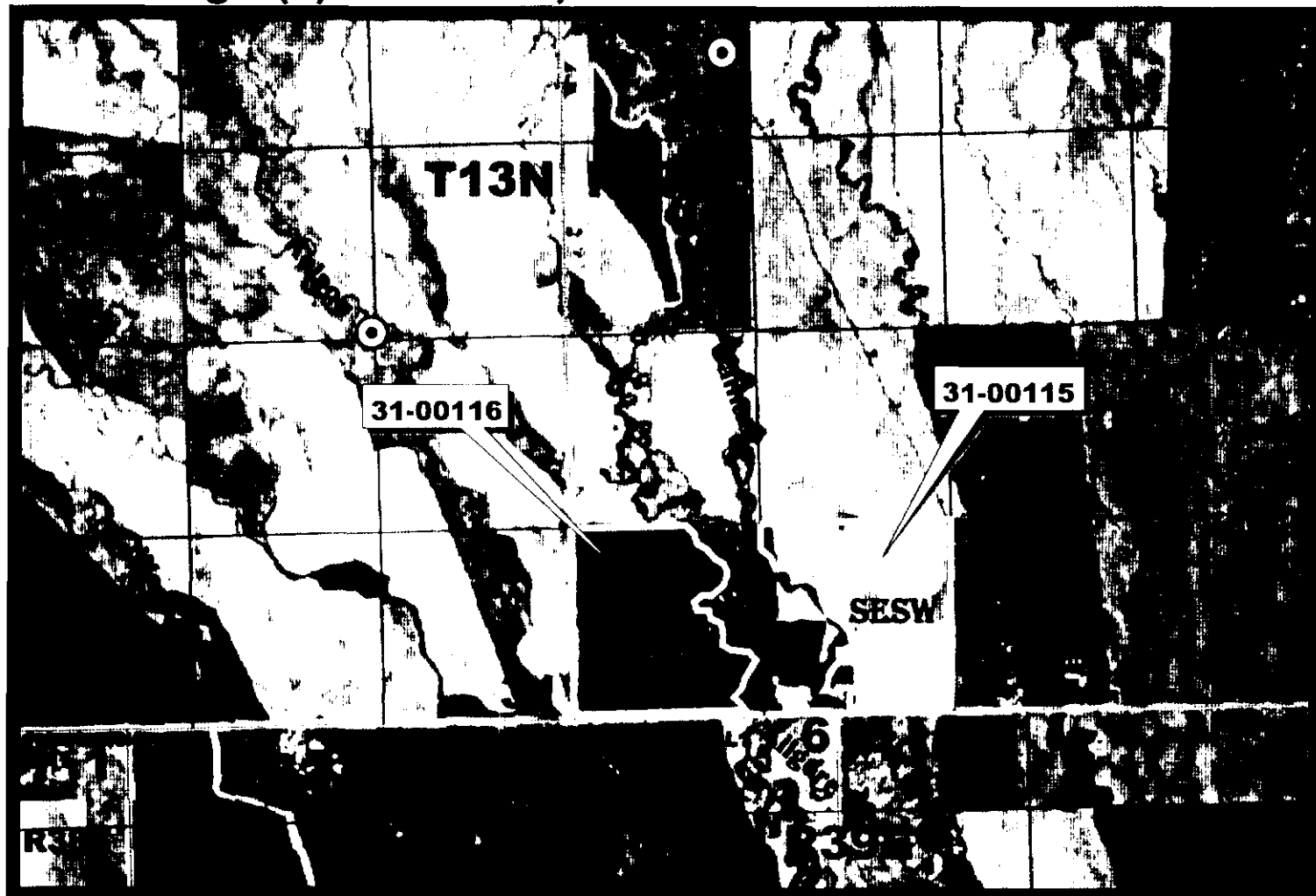
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Joe Knotwell

Water Right(s): 31-00115, 31-00116



500 0 500 1000 1500 2000 2500 3000 3500 4000 4500 5000 5500 6000 6500 7000 Feet

LEGEND



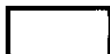
Point of Diversion

SESE

Place of Use



Section Line



Quarter-section line

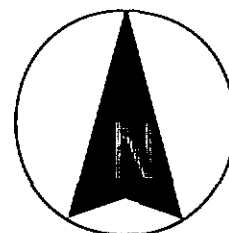
Legal Description: T.13N., R.39E.

Sec. 32 SWSW, SESW

Point(s) of Diversion: T.13N., R.39E.

Sec. 31 SESWNE (31-00116)

Sec. 32 SENWNW (31-00115)



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: June 2000

SRBA

DIRECTORS REPORT 31-00115

[Return to SRBA Home Page](#)

IWT072

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

Right Number: 31-00115

Name and Address: RAMONA KNOTWELL
JOE S KNOTWELL
BOX 133
DUBOIS, ID 83423

Source: EAST CAMAS CREEK Tributary: CAMAS CREEK

Quantity: .60 CFS

Priority Date: 05-01-1896

Diversion Point: T13N R39E S32 SENWNW Within Clark County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Irrigation	05-01 TO 10-31	.60 CFS
	Stockwater	05-01 TO 10-31	.03 CFS

Place of Use: Irrigation Within Clark County
T13N R39E S32 SESW 27
27 Acres Total

Stockwater Within Clark County
T13N R39E S32 SESW

Other Provisions Necessary for Definition / 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.
STOCKWATER: 100 CATTLE

Explanatory Material: Basis of Claim - Decreed

[Return to SRBA Home Page](#)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/13/93

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A31-30115

LAST: KNOTWELL
ADDRESS: BOX 133
CITY: DUBOIS
PHONE NUMBER: 208-374-5218

FIRST: JOE S.

STATE: ID ZIP: 83423

OWNER CODE: C

LAST: KNOTWELL
ADDRESS: BOX 133
CITY: DUBOIS
PHONE NUMBER: 208-374-5218

FIRST: RAMONA

STATE: ID ZIP: 83423

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: NEW HEADGATE INSTALLED UNDER SUPERVISION OF S.C.S. & A.S.C.S.
HEADGATE DIMENSIONS: WIDTH-5FT, LENGTH-5FT, DEPTH-3FT.
WEIR DIMENSIONS: WIDTH-3FT, LENGTH-4FT, DEPTH-2FT.
APPLICANT FEELS DECREE IN ERROR. SEE DESCRIPTION OF DIVERSION
POINTS IN ORIGINAL DECREE AS THEY REFER TO THE WRONG CREEKS. ALSO
SEE ATTACHED LETTER FROM PETER JENSEN CIRCA SEPT. 23, 1905.

CONTACT PERSON: Mr. RICHARD

PHONE NUMBER: () -

DATE OF FIELD EXAM: 1/1

APPOINTMENT MADE: Y() N()

TIME: : M() P()

ACCOMPANIED BY: SON, KNOTWELL

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: OWNER

DIRECTIONS TO PROPERTY / NOTES:

MET w/ Mr. Knotwell - SEVERAL TIMES OVER THE 2000 SUMMER. DISCUSSED THE
DITCH ISSUE FOR THIS TR AND HAMILTON / SADDONWAY. ALSO REVIEWED THIS CLAIM
TO REPRESENT DEEDS / OWNERS AND TO ADD SIGNATURE.

A. AJ CLAIM: # A31-00115 PRIORITY DATE: 05-01-1896 STAGE: D

B. WR RECORD: # 31-00115 PRIORITY DATE: 05-01-1896 STAGE: D

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

NOTES: DEPT. READS 1896-MAY

RECOMMENDED PRIORITY DATE: AND IT IS
05-01-1896

REVIEWED BY [Signature]

DATE 3/3/24

Thomas Knotwell 31 115 ✓

1896 - May 1 0.6 c.f.s.

Source: Camas Creek, a tributary of Mud Lake.

Point of Diversion: One-fourth mile up Little Spring Creek from the land to be irrigated, and hereinafter described.

31 116 ✓
1897 - June 1 0.8 c.f.s.

Source: Little Spring Creek, a tributary of Camas Creek.

Point of Diversion: One-fourth mile up Camas Creek from the land to be irrigated, and hereinafter described.

For use on the following described land, to-wit: The South Half of the Southwest Quarter of Section 32, Township 13 North, Range 39 East, B.M.

No. 60

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-00115	13N	39E	32	NE	SW	NW		CLARK

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
31-00023

SOURCE: EAST CAMAS CREEK

TRIB: CAMAS CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
31-00115	13N	39E	32		NE	SW		CLARK

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

31-00116

A31-10037 NONE

SOURCE: CAMAS CREEK

TRIB: MUD LAKE

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
Y

FIELD
EXAMINER

NOTES:

POD DESCRIBED BY DECREE AS: "ONE-FOURTH MILE UP Little Spanish Creek
FROM THE LAND TO BE IRRIGATED, ... DESCRIBED" (RE: 31-00116). APPEARS THAT
THE DECREE REVERSED POD'S WITH SOURCES IN 31-00115 AND 31-00116.

SOURCE DESCRIBED AS CAMAS CR - CLAIMED AS EAST CAMAS CREEK -

CHS
WRONG ALWAYS
CLAIMED WRONG

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	R1E.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
13N	39E	32	SE	NW	NW		Clark	
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---

SOURCE: E. Camas Cr

TRIB: Camas Cr

REVIEWED BY: JRC

DATE: 6/8/2K

SYSTEM DESCRIPTION:

Site (1) photo page

WOODEN DIVERSION BEHIND CHECK DAM ON MAIN CHANNEL TO DITCH FOR FLOOD

Looking South



KNOTWELL'S FIELD HEADGATE
IN SIDDOWAY'S FIELD.

A. ROOT WATER RIGHT NUMBERS: A31-00115

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
13N	39E	32	SE	SW		KNOTHILL, JOE S.	A31-00115	740.0	31-00115	/	42.0
			SE	SW		MAGENBARTH, MARGARET	A31-10254	/	-	/	
			SE	SW		KNOTHILL, THOMAS			31-00116	/	
TOTAL ACRES							A31-00115	40.00			42.00

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

POU COUNTY: CLARK

*See GPS for
Ac & Dist.*

PRESUMPTION FLAG:

NOTES:

*Debris POU in 31-00116 AS: "S" SW SEC. 32 T13N R39E. WHY NOT SW SW? C & S
WIRE*

RECOMMENDATIONS:

TOTAL ACRES:

27⁰

REVIEWED BY:

SPR

DATE:

6/19/20

A. AJ CLAIMED USES:

PURPOSES
A31-00115 IRRIGATION

5/1 10/31
MONTH/DAY
FROM 05-01 TO 10-15

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
-300 CFS
-300 CFS

B. WR RECORDED USES:

PURPOSES
31-00115 IRRIGATION
31-00115 STOCKWATER
31-00115 DOMESTIC

MONTH/DAY
FROM 05-01 TO 09-01
FROM TO
FROM TO

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
-500 CFS
-500 CFS
-500 CFS
-500 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

FIELD
EXAMINER
DATABASE
Y
Y
Y

~~Decree dated 10/1/10
Stockwater is defined by decree.~~

Stockwater is defined by decree.

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() EXPLAIN IN NOTES, BELOW.

NOTES:

PERIOD OF USE NOT SPECIFIED BY DECREE. RECOMMEND MAY 1 TO OCT 1 TO DURT. STD.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(☒)

AJ TOTAL CLAIMED DIVERSION RATE: 0.300 CFS
MR ROOT RIGHT TOTAL DIVERSION RATE: 0.500 CFS

CLAIMED AS 0.8 cfs

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***

** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **

** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. **

DISCREPANCY AS 0.6 cfs

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N(☒) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A31-0116.

NO CLAIMS FOUND WITH SAME PJU AND IRRIGATION USAGE

LIST ALL RIGHTS WITH SAME PJU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A31-10254	DOMESTIC	HAGENBARTH, MARGARET	FROM 01-01 TO 12-31	.040 CFS	

*CLAIMED AS 0.8 cfs - DISCREPANCY AS 0.6 cfs. CLAIMANT FEELS DECREASE ERROR.
WATERMASTER DISLIVETS _____?*

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

ACRES _____ X 0.02 CFS/ACRE = _____ CFS
(TAKEN FROM P/U REVIEW)

1B. CALCULATIONS

DUES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ X CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ X DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()
P/D 1/4 UP CAMAS CREEK FROM P/U.

NOTES: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

RECOMMENDATIONS:

REC.
PURPOSES

REC. PERIOD
FROM TO

REC. DIV
RATE CFS

REC. DIV
VOL. AF/A

REC. CONS.
USE

DATABASE EXAMINER

DATABASE EXAMINER

DATABASE EXAMINER

ERRATA

5/1 10/31

TOTAL FOR THIS RIGHT

REVIEWED BY: _____

DATE: _____

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-00115

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.600

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A31-30115	0.800	-		31-00115	2.600
TOTAL CFS		0.800				2.600

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

DATABASE
N

FIELD
EXAMINER

NOTES:

DESCRIBED AS 0.6 cfs - CLAIMED AS 0.8 cfs - QUOTED BY 0.2 cfs - why?

CLAIMANT FEELS
? DIVERGE ERROR

Waterman's for Divergence
cfs.

AUTHENTICATION:

SIGNATURE: W. B. Rooney DATE: 6/15/24
NAME OF FIELD EXAMINER: Allen B. Rooney TITLE: SA. Asst.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22245251
03/13/93

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A31-00115

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

"VERIFIED BY" CODES

TOPD MAP/ORTHMO-PQ = 1
ASCS MAP = 2
MASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

23:52:43
03/15/95

PAGE: 11
PROFILE REPORT

CLAIM NUMBER: A31-00115

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOE S. KNOTWELL	05/01/1896	IRRIGATION	24-15 10-15	0.80 CFS	
C	RAMONA KNOTWELL BOX 133 DUBOIS ID 83423 (208) 374-5218					
TOTAL DIVERSION:					0.80 CFS	

WATER SOURCE: EAST CANAS CREEK

TRIBUTARY TO: CANAS CREEK

STAGE: DECREE

POINT(S) OF DIVERSION:

T13N R39E S32

NESNW

CLARK COUNTY

PLACE OF USE LEGAL DESCRIPTION FOR: IRRIGATION

				NE				NW				SW				SE																												
T	R	S	:	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	:	SUM																			
13N	39E	32	:																																									
																							40	:																				
																							TOTAL ACRES																				40.0	

POU COUNTY: CLARK

OTHER RIGHTS: A31-0116.

REMARKS: NEW HEADGATE INSTALLED UNDER SUPERVISION OF S.C.S. & A.S.C.S.
HEADGATE DIMENSIONS: WIDTH-3FT, LENGTH-5FT, DEPTH-3FT.
WEIR DIMENSIONS: WIDTH-3FT, LENGTH-4FT, DEPTH-2FT.
APPLICANT FEELS DECREE IN ERROR. SEE DESCRIPTION OF DIVERSION
POINTS IN ORIGINAL DECREE AS THEY REFER TO THE WRONG CREEKS. ALSO
SEE ATTACHED LETTER FROM PETER JENSEN CIRCA SEPT. 29, 1905.

DATES: EXAM MADE DATE:

VERIFIED DATE:

MISC: WATER DISTRICT NUMBER: 31

FIELD INSPECTION FLAG:
PRESUMPTION FLAG:

Ass. Ac. - 27.7

01/25/2001

**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: March 9, 2001

Water right number: 31-115

RAMONA KNOTWELL
BOX 133
DUBOIS ID 83423
Telephone Number: (208)374-5218

JOE S KNOTWELL
BOX 133
DUBOIS ID 83423
Telephone Number: (208)374-5218

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: 2/27/01 SIGNATURE: Joe S Knotwell Ramona Knotwell
Please print your name: Joe S Knotwell Ramona Knotwell

IDWR Regional Office, 900 N Skyline, Idaho Falls, ID 83402, 2085257161



T. 13N. R. 39E. SEC. 32
SENW NW

DIVERSION FOR:
D. HIRSCH
J. KNOTWELL
ROCKING QUESTION



Joe Knotwell
31-00113

6/3/21
ASR

Harold Siddoway
31-00133

Creek

Creek

31-100

31-000

31-000

31-000

30 29

31 32

T13N R39E

Joe Knotwell

31-00115

31-00116

SWSW

31

SESW

27

31 32

32

1

6

L4

L3

L2

L1

6

5

Kilgore

2N R38E

L5

T12N R39E

L6

L7

31

32

6/8/2K
APR
CLS

Two!

Two!

ox

T13N R39E

Joe Knotwell

31-00115,

31-00116

31

27

31

32

L1

6

5

T12N R39E

L.R.
BRADSHAW
A93

WILLIAM
HUNTER
A25
718

JOHN
LARI
A3
72

CLOYD
LEE
A112

JACK

30 29
31 32
T16
A23
BOYD
McCORMICK

HAMILTON
A21
714

29 28
32 33
1
221

PRICE
A22
115

SANDERS
INC.
A78
743

MAX SIDDOWAY

JOE KNOXWELL
A113
712

3
190
BLAIR
MARY

A31-10036

DAVID
HIRSCH

32 33

1992

HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FALLS OFFICE

FRED J. HAHN
 KENT W. FOSTER
 ROBERT E. FARNAM
 WILLIAM D. FALER
 STEPHEN E. MARTIN
 CHARLES A. HOMER
 GARY L. MEIKLE
 MICHAEL D. CRAPO
 GAYLE A. SORENSON, P.A.
 DONALD L. HARRIS
 MARIE T. TYLER
 JOHN G. SIMMONS
 ROBERT M. FOLLETT
 KUMEN L. TAYLOR
 JAMES K. SLAVENS

WEST ONE BANK
 P.O. BOX 50130
 330 SHOUP AVENUE
 IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
 TELEFAX (208) 523-9518

KEY FINANCIAL CENTER
 702 W. IDAHO SUITE 810
 BOISE, IDAHO 83702

TELEPHONE (208) 343-0820
 TELEFAX (208) 343-8078

BOISE OFFICE

WM. LYMAN BELNAP, P.A.
 RANDALL B. REED
 RONALD D. CHRISTIAN
 FREDERICK J. HAHN III

ARTHUR W. HOLDEN
 (1877-1967)
 ROBERT B. HOLDEN
 (1911-1971)
 TERRY L. CRAPO
 (1939-1982)
 WILLIAM S. HOLDEN
 (1907-1988)

December 16, 1992

Ray W. Rigby, Esq.
 RIGBY, THATCHER, ANDRUS,
 RIGBY & KAM
 P.O. Box 250
 Rexburg, Idaho 83440

RE: Hamilton and Siddoway Water Rights
 on East Camas Creek and Ditch

Dear Ray:

Since our recent telephone conversation, I have had an opportunity to review this matter with Harold and Max Siddoway and with Jack and John Hamilton. When these people purchased the land from Sherm Halverson in the early 1980s, they were sold three water rights, which under the Sauve v. Abbott decree are appurtenant to the lands they purchased.

At the time of purchase, there was substantial evidence that irrigation practices had been carried on the lands for many years. It was represented to the Siddoways and Hamiltons that the water under the three rights for irrigation of the land came from East Camas Creek through the existing diversion structure on the McCormick land and the ditch presently used, which traverses much of their land. They recall discussions with other users of the ditch at about the time they commenced operation of their respective lands. From what we have heard of their description of these discussions, we would characterize them as falling into two basic categories: (1) (and these discussions did include communications with Don Shenton) confirmation of the fact that the water for the newly purchased lands did come through the present headgate and ditch; and (2) permission to construct three new headgates to better accomplish the proper distribution of the water.

Ray W. Rigby, Esq.
December 16, 1992
Page 2

Both Hamiltons and Siddoways have reported relatively recent conversations in which Joe Knotwell has vigorously insisted that he never gave them permission to use the ditch and never would. Their reaction is that they never sought permission to use the ditch, but understood everyone to agree that their use of the ditch was appropriate and consistent with their rights, and the means by which water had been, and was to be, conveyed to their lands. Before constructing the new headgates however, they did seek to notify the other users and be certain there was no objection.

So, we are extremely skeptical that an assertion that the use of the headgate and ditch by Hamiltons and Siddoways was permissive would be sustained in court. Regardless of that issue, much of the ditch is located on property owned by Hamiltons and Siddoways, and is constructed out of dirt to which they have title. Messrs. Knotwell, Hirschi and Bennett may very well have an easement across these lands, but, as we understand the law, Hamiltons and Siddoways can make any use of their land, including that portion of the other users' easement located thereon, which is not inconsistent with or does not unreasonably interfere with or burden that easement. It is difficult to conceive that it is impossible, from an engineering standpoint, to have all users use the same ditch structure to convey available water under their respective water rights. If modifications of the structure are needed, that is usually a possibility limited only by economics.

It is also difficult to imagine that a court would require it in this case, but we suppose that if all else failed, the eminent domain rights provided by the provisions of Chapter 11 of Title 42 of the code would furnish adequate legal means to resolve the matter of the Hamiltons' and Siddoways' use of the ditch. Even if there is something which is now legally insufficient about their rights to receive water through the existing headgate and ditch, there surely cannot be any serious dispute about the validity of their water rights. Mr. Shenton's records appear to be quite clear that all water available from East Camas Creek under the applicable priorities have been delivered each season since 1982 to the Siddoways, and since 1983 to the Hamiltons, and each have been charged and have paid their annual assessments for every year since that time.

Ray W. Rigby, Esq.
December 16, 1992
Page 3

However, as you and I discussed, and as the Hamiltons and Siddoways firmly believe, this is not a matter for resolution in the courts. Our experience in recent years with the litigation process convinces us that each opposing group would be required to expend many thousands of dollars just to reach a final determination by the court. Even if an out-of-court resolution required the expenditure of funds to implement some construction or other aspect of the arrangement, it would be much more productive than spending it on litigation, and probably far less costly than litigation as well.

You indicated that at least one of the perceived problems is the priority of the rights of Hamiltons and Siddoways. We are not sure we understand why that is a problem, but one alternative for resolution our clients are willing to explore is the mixture of priorities so everyone has the same. This could probably be done in any number of ways, but one way would be to organize, much like a canal or ditch company, so the organization or entity held the water rights and the users rights were represented by stock or other membership certificate. Then with a rotation system so that each shareholder or member received the water for the proportionate number of days represented by his stock or membership interest, so long as water was available, perhaps each could do a better job of irrigating because all would not be trying to do so simultaneously with whatever water was available under the priority of the respective rights.

As we understand it, the rights under which water is diverted into this particular ditch from East Camas Creek consist of the following from the Sauve v. Abbott decree:

<u>OWNER</u>	<u>DECREE #</u>	<u>IDWR IDENT. #</u>	<u>PRIORITY</u>	<u>AMOUNT</u>
Ken Bennett	10	31-00022 ? 31-00023	06/01/1891	1.1 cfs
Dave Hirschi	43	? 31-00088	06/01/1891	.7 cfs
Hamiltons & Siddoways	29	31-0055	08/08/1893	3.2 cfs
Hamiltons & Siddoways	29	31-0053	05/01/1896	.4 cfs
Joe Knotwell	60	31-00115 ? 31-00116	05/01/1896	.6 cfs
Hamiltons & Siddoways	29	31-0054	06/01/1897	1.0 cfs

Ray W. Rigby, Esq.
December 16, 1992
Page 4

We also expect that IDWR will be attempting to adjust these amounts in the SRBA processing; they have already suggested that some of these amounts should be reduced because (IDWR says) no one can divert more than 1/50 of one cubic foot per second per acre actually irrigated, and the acreage actually irrigated in some cases is much less than the number produced by multiplying the cfs amount of the right by 50. So maybe the amounts listed above will not be what we eventually end up with. But for illustration purposes, if the total number of cfs diverted through the ditch is 7 cfs, and a 7 day rotation is used, if everyone had the same priorities because the ditch company owned the rights, someone with 1 cfs could perhaps use all the water 1 out of every 7 days.

As we say, this is just for illustration purposes because the details ought to be made to fit the circumstances and to benefit the shareholders or members of such an entity in the way that benefits all of them the most.

The second possibility or concept for resolution our clients are willing to discuss would be to construct a new diversion and ditch system for them to get out of the existing ditch entirely. This would have the advantage of your clients and our clients being independent of each other so far as their respective diversion and delivery systems are concerned. It may have some disadvantages as well, and there are certainly some potential problems. It may not solve the priority problem you perceive, and, of course, it would be necessary to acquire rights of way for a new diversion structure and ditch across the McCormicks' or other intervening land. It would require the expense of a new ditch system, but of course even that would probably be far less expensive than litigation, and at least the money would go to construction rather than fighting.

We see both the concept of forming a mutual ditch organization and of creating a second independent ditch system as possibilities for an acceptable resolution of the controversy. We have not tried to be specific about details of either approach because virtually every detail, so far as our clients are concerned, is negotiable. The thing that is not negotiable is whether our clients have valid water rights under which they are entitled to divert water from East Camas Creek for the irrigation of their lands. Hamiltons and Siddoways are

Ray W. Rigby, Esq.
December 16, 1992
Page 5

not going to fold up their tents and go away into the night. Nor do we feel pessimistic about the outcome of any necessary litigation.

We are willing to negotiate to see if an acceptable solution is possible. Our clients are concerned that a meeting between them and the other users may not be as productive as we would hope. They have suggested that I meet with you, with or without your clients present, or that you meet with me, with or without our clients present, at least to get things started. They have no objection to Don Shenton being present if that is desirable, but they are skeptical about the value of having anyone else involved who is not a user on this particular ditch.

We will look forward to hearing from you further as soon as it is convenient.

Yours very truly,



Kent W. Foster

#8650.00/srs

pc: Mr. Harold Siddoway
Mr. Max Siddoway
Mr. Jack Hamilton
Mr. John Hamilton

Cuba, Idaho
June 19, 1992

Don Sherton
Water Master,
Water District 31,
Cuba, Id. 83423

Dear Don,

This is in reference to the appointment of a lateral manager for the Bennett, Shirechi, Knotwell Ditch, an order received June 6, 1992.

We three families have been using it for at least 87 years without conflict. So we are sure we don't need a manager now. Bennett, Shirechi, go back to the time of homesteading, and Knotwell purchased his property in 1905.

The order quotes; Idaho Code 542-909, provides that the watermaster may appoint a lateral manager upon demand of one water user, and that such a request has been received. Bennett, Shirechi and Knotwell have not made such a request. There is no other water user in that ditch.

Can you know that we had no notice that they were claiming that ditch against us, because we let them into the ditch as an accommodator on a temporary basis?

They had just bought their place, and you know that Sherman was confused and had been confused about their water right and ditch right, and we let them use our ditch to get water to their place. It wasn't until 1788 that we learned that they claimed a right in the ditch, our ditch, to get water to their place, and we immediately protested it.

We would have been in court to stop their use, but Department of Resource people, especially Norm Young met with us and advised us that they were going to continue allowing them to use our ditch until the adjudication proceedings settled the matter.

The new law gave these people a permanent right in the ditch. They knew it was just a permissive right until they could determine and reestablish their original point of diversion and clean their ditches. We don't think they have this resolved yet.

Now that they have asked for a water manager to be appointed, partly at our expense, we are convinced that they are not going to reestablish their old point of diversion and

ditch; and try and stay in sum.

We cannot wait for the adjudication proceedings and must ask the court to do something now.

Yours very truly
 Bob Hirsch
 H. L. Bennett
 Joe S Knotwell

Hand Delivered
 on June 22-1992
 by Joe Knotwell



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 4, 1992

Donald W. Shenton
Box 33
Dubois, ID 83423

RE: Order Appointing Lateral Manager ~~for Vaughn Ditch~~

Dear Don:

Enclosed is an order which you may use to appoint a lateral manager.

Please complete and sign the order, and return the original to this office. Copies of the order should be distributed to all users on the ditch. If you wish, we can distribute copies of the order to the appropriate users. Your list of users and addresses is probably more complete and updated than the Department's.

The order does not specify a particular scheme for measuring and distributing the waters of the ditch. We want to stress that the Department is available and willing to provide assistance upon your request. Please do not hesitate to contact Ron Carlson, Tim Luke of this office, or me if you have any questions or need assistance of any type.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

Water District #31

Box 33
Dubois, Idaho 83423
(208) 374-5230

Donald W. Shenton
Watermaster

MAY 28, 1992

Idaho Dept. of water Resources
1301 NORTH Orchard Street
Boise Idaho 83707-2237

Mr. NORM Young.

Attached is copy of a letter Received Today.
Not knowing about the workings of such a Request or
Order or Demand, I AM Confused by what Steps
Should be taken by myself as watermaster.

PLEASE Review immediately and give me the proper
direction and instruction on this matter.

IN THE ESSANCE of time I might suggest that
you Fax The Instructions at number 374-5609
Attention to Don Shenton.

I would appreciate your immediate Response AS I
have not been involved in this type of action
Before.

Sincerely yours
Donald W. Shenton
Watermaster

C.C. Kent Foster

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FALLS OFFICE

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
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KEY FINANCIAL CENTER
702 W. IDAHO SUITE 610
BOISE, IDAHO 83702

TELEPHONE (208) 343-0820
TELEFAX (208) 343-8078

BOISE OFFICE

WM. LYMAN BELNAP, P.A.
RANDALL B. REED
RONALD D. CHRISTIAN

ARTHUR W. HOLDEN
(1877-1967)
ROBERT B. HOLDEN
(1811-1871)
TERRY L. CRAPO
(1939-1992)
WILLIAM B. HOLDEN
(1807-1908)

May 28, 1992

Don Shenton, Watermaster
WATER DISTRICT #31
Box 33
Dubois, Idaho 83423

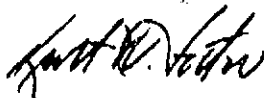
Dear Mr. Shenton:

We have been requested by Mr. Max Siddoway, to demand in accordance with the provisions of Idaho Code §42-909 that you, as the Watermaster of Water District #31, appoint a manager to manage the distribution of water from a certain distributing lateral ditch in accordance with the water rights of the respective users of said ditch.

The specific ditch in question is used not only by Mr. Siddoway, but, as we understand it, also by Messrs. Joe S. Knotwell, David J. Hirschi, K. L. Bennett and Jack Hamilton. The ditch commences in the SW1/4 of the NW1/4 of Section 32, Township 13 North, Range 39 East and flows in a generally southerly direction to the lands where the water is used. It has been used for at least the past 12 years to convey water under Rights Nos. 31-0053, 31-0054 and 31-0055 to the irrigated portions of the Siddoway property which consists of 240 acres in the S1/2 of Section 32 of Township 13 North, Range 39 East.

The parties who use the ditch have not selected a manager as provided in Idaho Code §42-907 or §42-908. It is most urgent that this appointment be made as soon as possible so that all parties who use the ditch can be properly protected in the distribution of water pursuant to their various rights. Thank you for your kind attention to this matter.

Yours very truly,


Kent W. Foster

#B650.00/srs

cc: Mr. Max Siddoway

Memo

From Don Shenton -

Date 4/22/91

R. E. East Camas Delivery for 1991.

I Received some Directives from the owners of the Ditch of Controversy, (Bennett dingschi - Knotwell) of which I think most of you have seen.

I sent a copy of this letter to I.D.W.R. or Mr. Norm Young seeking further direction on Delivery for this creek this year.

Attached is a copy of this letter.

Hoping we can endure until the final decision of the adjudication.

Donald W. Shenton
Water master



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 1, 1991

Don Shenton
Water District #31
Box 33
Dubois, ID 83423

RE: WATER DELIVERY - EAST FORK OF CAMAS CREEK

Dear Don:

I have received your letter dated March 8, 1991, in which you request additional direction in connection with water delivery on East Fork Camas Creek for the 1991 irrigation season, in light of information provided to you by various waterusers.

As indicated in my letter dated January 2, 1991, the department intends to administer delivery of water on East Fork Camas Creek by maintaining the status quo until the issues associated with some of the disputed water rights can be addressed in the Snake River Basin Adjudication.

While the department does not have authority to determine ditch use rights, we do have the responsibility of delivering water rights. Information provided to date shows that the rights in question have been delivered under watermaster supervision for the past seven to ten years. The documentation provided in your letter does not dispute this delivery record. Thus, there is sufficient basis for the department to continue deliveries in a similar manner.

Sincerely,

A handwritten signature in cursive script, reading 'Norman C. Young'.

NORMAN C. YOUNG
Administrator

cf: Ron Carlson
Ray Rigby

Water District #31

Box 33
Dubois, Idaho 83423
(208) 374-5230

Donald W. Shenton
Watermaster

March 8, 1991

Idaho Department of Water Resources
Mr. Norm Young, Administrator
1301 N Orchard Street
Statehouse Mail
Boise, Idaho 83720

RE: East Camas Creek Delivery Order

Dear Norm

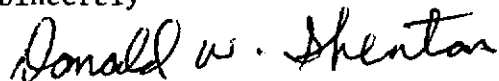
I have recently recieved the attached request or order from the owners of the ditch and diversion works on the ditch of controversy, on East Camas Creek.

I have talked personally with these signor's and they are adamont about Siddoway and Hamilton not being able to use this ditch and diversion, and tell me that I as watermaster or the I.D.W.R. have no authority to order anyone into their ditch.

Does this latest directive in writing change the order as was recently confirmed to stay in effect until the adjudication process determines a permanent delivery pattern?

I would appreciate your comments.

Sincerely



Donald W. Shenton

February 22, 1991

Mr. Don Shenton
Watermaster District No. 31
Dubois, Idaho 83423

Dear Don,

We want it on record that we do not want Hamilton and Siddoways using our diversion on East Camas located in the NW1/4 of Sec. 32, T13N R39 E. As proof of ownership we submit a copy of our contract with Patterson-Orr Construction Company in 1974 when they installed the diversion. We constructed the ditch headgate and the weir separately, along with cleaning up and seeding the area.

You remember Sherman Halverson admitted doing no work, but talked about paying into a pooling agreement. That agreement was work these same contractors did up on Ching Creek, putting that stream back in its channel, and had no connection with our diversion.

Sincerely,

Joe S. Knutson



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 2, 1991

Don Shenton
Water District #31
Box 33
Dubois, ID 83423

RE: WATER DELIVERY - EAST FORK OF CAMAS CREEK

Dear Don:

I have reviewed your letter dated December 12, 1990 in which you request direction in connection with water delivery on East Fork Camas Creek for the 1991 irrigation season.

As you know, in late spring of 1990, the department prepared a draft interim agreement for delivery of water on East Fork Camas Creek. The purpose of the draft agreement was to maintain a status quo until the issues associated with some of the disputed water rights can be addressed in the Snake River Basin Adjudication (SRBA) and to avoid a separate court action in connection with the matter.

To accomplish the status quo, on June 25, 1990, I instructed you to continue deliveries of water as it appears they have been made in the past several years; that is to deliver right no. 29, including the 1893 part, in priority with the other rights on East Camas Creek. Delivery is to be made to the Knotwell-Bennett-Hirschi heading. The one difference from previous years is that the diversion rate of right no. 29 is to be limited to 0.02 cfs per acre of land being irrigated from East Camas Creek within the recorded place of use.

My intent is that the instruction I gave you on June 25, 1990, should apply to successive water years until the matter can be addressed in the SRBA. If you have information to show that this instruction is not correct, please so advise me.

Sincerely,


NORMAN C. YOUNG
Administrator

c: Ron Carlson
Ray Rigby



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

September 5, 1990

Ray Rigby, Esq.
Rigby, Thatcher, Andrus,
Rigby & Kam
P.O. Box 250
Rexburg, Idaho 83440

RE: East Camas Creek Water Delivery Concerns

Dear Ray:

Your letter of August 22, 1990, describes the concerns of several users of water from East Camas Creek and asks for general observations on the matter from me. The information and perceptions that I have are mainly from a meeting that I and Ron Carlson called to try to mediate the dispute.

This meeting was held in Kilgore on May 22, 1990 in response to separate requests from Jack Hamilton and Howard Frederiksen. The meeting ended with a field review of the diversion through which the disputed rights are taken. It appeared to me that several of the issues identified are questions of law that, absent an agreement among the parties, would require a court ruling to resolve. Because the stream is included in the ongoing Snake River Basin Adjudication, I encouraged the parties to enter an interim agreement to maintain the status quo until the issues could be addressed in the SRBA to avoid a separate, likely more costly, court action.

The attached draft agreement was distributed for review. Parties on both sides of the matter expressed concern with the draft agreement (copies of comments received are enclosed), and it has not been signed. Absent the agreement, the watermaster still needed guidance on delivery of water which prompted the memo dated June 29, 1990 (enclosed).

I believe the issues and facts as I understand them are set out in the draft agreement. The SRBA Director's report for Basin 31, including the East Camas Creek, is scheduled to be filed with the court in late 1994 or early 1995. After the May 22, 1990 meeting, I thought that the issues could bear this delay as long as the Siddoways did not expand the irrigated acreage beyond that

Ray Rigby, Esq.
Page 2
September 5, 1990

of recent years and that the additional years of use (and non-use on the land that the Siddoways want to begin irrigating) of the water right, diversion and ditch between now and then do not figure into the court's decision.

This looks like a good matter for your "common sense" approach to complex issues. I will be happy to work with you and the others involved to work out a satisfactory solution.

Sincerely yours,

A handwritten signature in cursive script that reads "Norman C. Young". The signature is written in dark ink and is positioned above the typed name.

NORMAN C. YOUNG
Administrator
Resources Administration Division

NCY:dc

Enclosures



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HUGGINSON
DIRECTOR

June 30, 1992

Don Shenton, Watermaster
Water District 31
Box 33
Dubois, Idaho 83423

Re: East Camas Lateral Manager

Dear Don:

You have requested clarification on the whether a lateral manager should distribute the water from the Bennett, Hirschi, Knotwell Ditch. Section 42-909, Idaho Code (copy enclosed) allows the watermaster to appoint a lateral master upon the written request of one or more parties taking water from the ditch. The issue becomes whether the party requesting the lateral manager is a user in the ditch entitled to request the appointment of the lateral manager. Appointment of the lateral manager is consistent with the approach the department has had for the past several years of maintaining the status quo.

I reviewed the department files to refresh my memory concerning the matters raised in the letter you received objecting to the lateral manager. At a meeting held in Kilgore in May 1990 the issues were discussed and IDWR took an assignment to draft an agreement to keep the status quo until the issues could be addressed in the ongoing adjudication. The draft agreement dealt with issues of validity and size of the right, its source and the location of the diversion point. These are issues that will be addressed in the ongoing adjudication. The issue of the right to use the ditch was not identified in the draft agreement and is not one that will be addressed in the adjudication. A draft agreement was circulated and none of the parties have signed it.

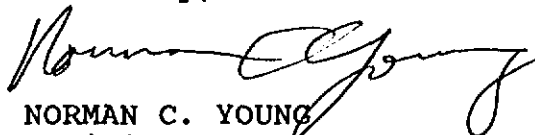
Shortly thereafter you requested guidance on delivery of the Siddoway and Hamilton rights. A memo to you dated June 25, 1990 advised you to continue to deliver the right to the Bennett, Hirschi, Knotwell heading. The East Camas Creek users were informed of this guidance by memo dated June 29, 1990. Prior to the 1991 irrigation season, Knotwell, Bennett and Hirschi advised you that the heading was not to be used for delivery of the Hamilton-Siddoway water. IDWR again advised you to continue delivery based upon the delivery at that heading for the previous

Don Shenton
Page 2
June 30, 1992

seven to ten years. Consistent with this instruction, IDWR advised you this year that a lateral manager could be appointed upon request to allow the right to be delivered to the land to which the right is appurtenant.

The recent letter to you from Knotwell, Bennett, and Hirschi objecting to the lateral manager does not provide a basis for changing this advice. The letter indicates that the right given to Siddoway and Hamilton is "a permissive right until they could determine and re-establish their original point of diversion and clean their ditches. We don't think they have this resolved yet." A temporary, permissive right to use the ditch appears to have been given and this is an adequate basis to request a lateral manager.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Norman C. Young', written in a cursive style.

NORMAN C. YOUNG
Administrator
Water Management Division

NCY:jly
enclosure: Copy of Sec 42-909, Idaho Code

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

FRED J. HAHN
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GARY L. MEIKLE
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WEST ONE BANK BUILDING
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TELEPHONE (208) 523-0620
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ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)
TERRY L. CRAPO (1939-1982)
WILLIAM S. HOLDEN (1907-1988)
R. VERN KIDWELL, OF COUNSEL

July 2, 1990

RECEIVED
JUL 5 1990

Department of Water Resources

Norm C. Young, Administrator
IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

Dear Norm:

You will recall that I called and indicated we would be sending you our suggestions for some minor adjustments in the agreement document you drafted as soon as our clients had completed their review. You indicated some of the other parties had already expressed an unwillingness to enter into the agreement.

Since that time, our clients report they have heard that the other parties have declined to sign an agreement and that Don Shenton has received some instructions to deliver 1 miner's inch per acre for some 70 acres under the three rights of our clients'.

This information has caused substantial alarm because the acreage estimate is not consistent with our clients' understanding, and even more importantly, because 1 miner's inch per acre is not even close to sufficient for the irrigation of the land in question.

We have been requested to furnish some additional information to assist in ensuring that the decision will not be an arbitrary one. Unless IDWR and Mr. Shenton are prepared to limit everyone to 1 miner's inch per acre, we think such a limitation would be unfair. More importantly, our clients have expressed a desire to continue their water use pretty much as they have done for several years, and they understand the other parties have previously stated that they do not object to that practice.

Norm C. Young, Administrator
July 2, 1990
Page 2

To our knowledge, the flap arose over some talk about fluming the water across Warm Creek to irrigate other portions of the land described within the place of use for the water rights. This was never a formal proposal, and what was never more than a molehill has somehow now turned into a mountain. Unfortunately, the irrigation of additional land just does not appear practical without substantially increased efficiencies in the irrigation system. It does not appear to be economically feasible to make the system efficient enough and the experience of our clients has been that even all of the water to which they are entitled under the rights is frequently inadequate to properly irrigate the land which has been irrigated in recent years.

Our clients do not have a great deal of historical background so far as irrigation practices of their predecessors in interest. They acquired the land (320 acres) in 1981. The Siddoways began irrigating some of this land in 1982 and Hamiltons in 1983 according to Mr. Shenton's records. According to ASCS determinations, Hamiltons irrigate some 27 acres and Siddoways some 67 acres, for a total of 94 acres.

Records furnished by Mr. Shenton indicate that the number of 24-hour second feet of water delivered to Hamiltons and Siddoways under Right No. 29 of the Sauve v. Abbott Decree (.4 cfs with a priority of May 1, 1896, 1.0 cfs with a priority of June 1, 1897, and 3.2 cfs with a priority of August 8, 1893) since they began operating the land is as follows:

YEAR	SIDDOWAYS (24-HR. SEC. FT.)	HAMILTONS (24-HR. SEC. FT.)
1982	239	0
1983	91	79
1984	195	131
1985	194	188
1986	264	198
1987	150	180
1988	50	67
1989	107	87

Norm C. Young, Administrator
July 2, 1990
Page 3

Our clients tell us that in their experience, Mr. Shenton normally does not start delivering water under these rights until after about June 15th, and not usually for longer than September 1st. In that period, there is 75 to 80 days (even if we assume 80), and even if all these rights (230 miner's inches) were on the entire time, they would yield only 368 24-hour second feet. Based on 27 acres for Hamiltons and 67 for Siddoways, or 29% and 71% respectively, this would be some 107 24-hour second feet for Hamiltons and 261 for Siddoways.

1986 looks like the year when they got the most water, even more than they would have had coming if the irrigation season was only 80 days. The point we want to emphasize is that even in that year, there was not more than adequate water for 94 acres. We understand that what is enough or too much water can be a matter for a difference in judgment, but we understand the irrigation practices of the Hamiltons and Siddoways to be well within the range of what is customary in the area. The land is very porous and the ditches generally experience very significant transmission losses.

We summarize by emphasizing that we believe Hamiltons and Siddoways should be entitled to water as they have received it under their rights for the past several years. That appears to have been as much as was available under their rights. An arbitrary reduction to 1 miner's inch per acre would be devastating and would potentially result in complex and, we believe, unnecessary litigation.

Yours very truly,



Kent W. Foster

#8650.00/srr

cc: Mr. Don Shenton



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

M E M O R A N D U M

TO: East Camas Creek Waterusers (mailing list)

FROM: Norm Young, Administrator *NCY by W. Cline*

RE: Comments Received on the Draft Agreement

DATE: June 29, 1990

I have received written and verbal comments from several users of East Camas Creek indicating significant changes are needed in the agreement to make it acceptable to them. Several of the comments suggest changes that conflict with each other. In particular, there is not agreement relative to delivery of the 1893 part of right no. 29 held by Siddoway and Hamilton. Perhaps these difference can be resolved with more discussion, and I am willing to meet with you again to try to work through the remaining matters if there is a general feeling that a meeting can be worthwhile. However, it appears that the agreement is being used to try to permanently resolve these difficult issues rather than as an interim solution to maintain the deliveries as they apparently have been in recent years and retain everyone's arguments for the Snake River Basin Adjudication.

IDWR's immediate concern, and the reason for helping to draft the agreement, is to be able to give guidance to the watermaster this year and in the next several years until the SRBA resolves the issues. Even though the draft agreement isn't signed and available to provide this guidance, the declining flow in East Camas Creek has forced the watermaster to make priority cuts that required us to give guidance on the delivery of right no. 29 relative to other rights. I advised Don Shenton on June 25, 1990, to continue deliveries as it appears they have been made in the past several years; that is, to deliver right no. 29, including the 1893 part, in priority with the other rights on East Camas Creek. Delivery is to be made to the Knotwell-Bennett-Hirschi heading. The one difference from previous years is that the diversion rate of right no. 29 is to be limited to 0.02 cfs per acre of land being irrigated this year from East Camas Creek within the recorded place of use of the right.

cc: Don Shenton
Ron Carlson
Kent Foster



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

MEMORANDUM

TO: Water Users from East Camas Creek (Attached Mailing List)
FROM: Norm Young, Administrator *NY*
RE: Draft Agreement
DATE: June 4, 1990

Thank you for taking the time to meet with Don Shenton, Ron Carlson and me on May 22, 1990 at the Kilgore Store. I appreciated the willingness of all present to discuss the water use issues on East Camas Creek and to work toward a solution.

The attached agreement is based upon the discussions as I understood them and is intended to keep the delivery essentially as it has been for the past several years, while not changing any argument for anyone in the Snake River Basin Adjudication.

Please review the agreement carefully, and I encourage you to have your attorney review it, also. I am not an attorney, but agreed to help with an agreement because of the Department's responsibility to provide workable instructions to the water master concerning delivery of rights from the stream.

If you agree with the content of the agreement, you and your spouse can sign the agreement before a notary and return it to me by July 1, 1990. If you do not want to sign the agreement or have suggested changes, please let me know by June 22, 1990 so that I can either send revised copies to the parties or advise them that the agreement will need revision to be acceptable.

cc: Ron Carlson
Don Shenton

Attachments: agreement and mailing list

AN AGREEMENT FOR INTERIM DISTRIBUTION
OF THE WATERS OF EAST CAMAS CREEK, CLARK COUNTY, IDAHO

The following agreement addresses a dispute over the source, point of diversion, acreage allowed to be irrigated, and the continued validity of certain rights claimed from East Camas Creek. The agreement is intended to maintain the delivery pattern of recent years while preserving all issues, arguments and legal defenses for resolution in the ongoing Snake River Basin Adjudication.

BACKGROUND INFORMATION

1) The rights to the use of Camas Creek and East Camas Creek as decreed in Sauve v. Abbott, U.S. District Court for Idaho, 1930, included right no. 29 (now assigned numbers 31-0053, 31-0054, and 31-0055 by the Idaho Department of Water Resources) which reads as follows:

Federal Land Bank of
Spokane, a corporation

1896 - May 1 0.4 c.f.s. Source: Camas Creek, a tributary of Mud Lake.

1897 - June 1 1.0 c.f.s. Point of Diversion: The existing point or points of diversion on or near the land to be irrigated.

1893 - Aug. 8 3.2 c.f.s.

For use on the following described land, to-wit: The East Half of the ~~the~~ Northwest Quarter, the North Half of the Southwest Quarter, and the Southeast Quarter of Section 32, Township 13 North, Range 39 East, B.M.

2) The rights listed in Paragraph 1, and the lands to which the rights were decreed were obtained in 1981 by Harold and Max Siddoway (75% of land and water right) and Jack Hamilton (25%). In recent years (which years and for how long are at issue), the Siddoways and Hamilton have diverted all or part of the rights from East Camas Creek for irrigation of 70 to 80 acres located between East Camas Creek and Warm Creek in the E1/2 of the SW1/4 and the W1/2 of the (SE 1/4) of Section 32, T13N, R39E. A diversion controlled by Joe Knotwell, K. L. Bennett, and David Hirschi has been used for the diversion.

The Siddoways now propose to irrigate more of the land to which the right was decreed by fluming the East Camas Creek water

across Warm Creek. The other users on East Camas Creek object to the diversion of East Camas Creek water, particularly for the additional acreage. Bennett, Knotwell, and Hirschi object to the use of the diversion structure and ditch, particularly for the additional acreage.

3) The records of the watermaster show the following rights for use of East Camas Creek:

<u>NAME</u>	<u>PRIORITY</u>	<u>AMOUNT (cfs)</u>	<u>DECREE NO.</u>
Ken Bennett	June 1, 1891	1.1	10
David Hirschi	June 1. 1891	0.7	43
Siddoway/Hamilton	August 8, 1893	3.2	29
Frederiksen Bros.	June 1, 1895	1.0	76
Ken Bennett	June 1, 1895	1.5	10
Norman Marshall	June 1, 1895	3.0	80
Harold Siddoway	June 1, 1895	3.0	69
R. R. Price	June 1, 1895	2.7	42
Siddoway/Hamilton	May 1, 1896	0.4	29
Joe Knotwell	May 1, 1896	0.6	60
Frederiksen Bros.	June 1, 1897	1.6	76
Siddoway/Hamilton	June 1, 1897	1.0	29
McCormick Estate	May 1, 1899	1.2	103

4) The following issues have been raised in objection to the use of the Siddoway/Hamilton rights:

a. The decreed source of water is Camas Creek, not East Camas Creek.

b. The right or rights have been lost in whole or in part by forfeiture or abandonment.

c. The authorized point of diversion is not at the Knotwell-Bennett structure.

d. Use in excess of 1 miners inch per acre actually irrigated.

5) Camas Creek and its tributaries are included in the ongoing Snake River Basin Adjudication. The issues listed in Paragraph 4 will be addressed in the SRBA without the need for additional court action. The Director's report for Hydrologic Basin 31, which includes Camas Creek and tributaries, is scheduled to be filed_____.

INTERIM AGREEMENT

6) Harold Siddoway, Max Siddoway and Jack Hamilton agree to:

a) Limit the land to be irrigated to the 70 to 80 acres

that were irrigated during 1989 from East Camas Creek using the rights claimed under decreed right No. 29. 7

b) Divert no more than one miner's inch (0.02 cfs) per acre of land actually under irrigation if the watermaster is limiting diversion to any right on East Camas Creek because of a shortage of water.

No
c) That the August 8, 1893 right will be considered as having a common priority with the June 1, 1895 rights, and subject to the limitation of Paragraph 6(b), will share proportionately the water available in the creek with the June 1, 1895 rights whenever diversions to the 1896 and junior rights are cut by the watermaster. This provision is not intended to affect delivery to the June 1, 1891 rights.

d) Not assert in the SRBA that the continued use of water during the period of this agreement is a defense against abandonment or forfeiture of the Siddoway/Hamilton rights that may have occurred prior to entry of this agreement.

7) The other users of East Camas Creek water agree to:

X a) Allow the use of East Camas Creek in accordance with the rights listed in Paragraph 3 as limited by Paragraph 6, and Joe Knotwell, K. L. Bennett, and David Hirschi agree to the continued use of the diversion and ditch as it was used in 1989.

b) Not assert in the SRBA that the failure of Siddoway/Hamilton to irrigate during the pendency of this agreement the additional acreage to which the Siddoway/Hamilton rights are decreed provides any additional basis for finding the right to do so forfeited or abandoned beyond that which may have existed prior to entry of this agreement.

8) All parties to this agreement agree that:

a) The agreement is effective upon endorsement by all holders of water rights from East Camas Creek and will remain in effect until the Director of the Department of Water Resources files his report with the court in the Snake River Basin Adjudication or until _____, whichever occurs first, unless extended or terminated by written agreement of all parties.

b) By entry of this agreement all issues, arguments, and legal defenses retain, for consideration and decision by the Department of Water Resources and the courts, the validity and relevance, and no more and no less, than they would have had in litigation filed and pursued diligently from the date of this agreement.

c) The watermaster of Water District 31 is authorized to distribute the waters of East Camas Creek in accordance with the

terms of this agreement during the pendency of this agreement.

d) This agreement may be executed in counterparts for convenience of the parties, but shall be binding although all had executed the same document.

e) The parties hereto bind their heirs, personal representatives, successors and assigns.

IN WITNESS WHEREOF, This agreement has been executed by the users of water from East Camas Creek.

HAROLD SIDDOWAY

Date

STATE OF IDAHO)
 : ss.
County of Twin Falls)

On this _____ day of _____, 1990, before me, a Notary Public, in and for said county and state, personally appeared HAROLD SIDDOWAY, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

NOTARY PUBLIC FOR IDAHO

Residing at: _____

My commission expires: _____

MAX SIDDOWAY

Date

STATE OF IDAHO)
 : ss.
County of Twin Falls)

On this _____ day of _____, 1990, before me, a Notary Public, in and for said county and state, personally appeared MAX SIDDOWAY, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

COPY

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

WEST ONE BANK BUILDING
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

ARTHUR W. HOLDEN (1872-1967)
ROBERT B. HOLDEN (1911-1971)
TERRY L. CRAPO (1939-1982)
WILLIAM S. HOLDEN (1907-1988)

R. VERN KIDWELL, OF COUNSEL

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
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MICHAEL D. CRAPO
JAMES D. HOLMAN
GAYLE A. SORENSON
DONALD L. HARRIS
GREGOR S. CHIVISUK
RANDALL B. REED
G. LANCE NALDER
J. MICHAEL WHEELER
MARIE T. FEELEY
ROBERT M. FOLLETT

November 3, 1989

RECEIVED

NOV 6 1989

Department of Water Resources
Eastern District Office

Idaho Department of Water Resources
ATTENTION: Mr. Dennis Dunn
150 Shoup Avenue, #15
Idaho Falls, Idaho 83402

Dear Dennis:

You will recall that some time ago I called and asked you if there was a pending transfer in East Camas Creek regarding water rights or lands owned by Harold Siddoway, Max Siddoway and Jack Hamilton. As I recall, I promised to send you copy of the letter that had given rise to this inquiry. I am enclosing a copy with this letter. I am also enclosing a copy of a more recent letter. We are still trying to determine what the problem is and what is precipitating these letters. If you have any insight, we would be happy to have you explain to us what you know. Thanks for your continued assistance.

Yours very truly,



Kent W. Foster

#6900.00/srr

Enclosure

Kilgore, Idaho
October 19, 1989

TO: Jack Hamilton
Harold Siddoway

As of this notice you are informed that you can no longer use our water diversion located in Section 32 on East Camas.

Watermaster, Don Shenton, has been notified to not deliver any water to you from said diversion located on the Mc Cormick property in the NW1/4 of Section 32, Township 13N, Range 39E, Clark County, Idaho.

M. H. Bennett
Joe S. Knowlton
David H. Hartzel

Kilgore, Idaho
September 1, 1989

Don Shenton
Water Master District #
Dubois, Idaho 83423

We, water users on East Camas Creek, protest the transfer of
water from East Camas to Warm Creek to fill decrees from that
stream.

Boyd McCormick
David J. Hirsch
Howard E. Fredericksen

Horace W. Fredericksen
John C. Knoke

5

PATTERSON-ORR EXCAVATION
and CONSTRUCTION CO.
Box 101
Dubois, Idaho 83423

T. J. Patterson
175 Dewey St.,
Blackfoot, Idaho 83221
785-1232

Walt Orr
Box 101
Dubois, Idaho 83423
374-5383

31 October 1974

Joe Knotwell, Dubois, Idaho 83423
Ken Bennett, Kilgore Route, Dubois, Idaho 83423
David Hirschi, Route 2, Rexburg, Idaho

Gentlemen:

Our work recently completed for the above named persons amounted to \$3,718.77, 80% of which the SCS paid, leaving a balance of \$743.75. Equal shares for each of you amount to \$247.91.

We have appreciated doing this work for you and hope that each of you are satisfied with the job.

Thank you.

Sincerely,

PATTERSON-ORR



Walt Orr

No. 58

31, 10W18N12E

Sarah A. Kendrick

1911 - September 30

2.74 c.f.s.

Source: Camas Creek, a tributary of Mud Lake.

Point of Diversion: In the Southeast Quarter of the Northeast Quarter of Section 24, Township 9 North, Range 36 East, B. M.

For Use on the following described land, to wit: The Southeast Quarter of the Southeast Quarter of Section 24, the North Half of the Northeast Quarter, the Southeast Quarter of the Northwest Quarter of Section 25, Township 9 North, Range 36 East, B. M.

No. 59

Thomas Knotwell

115
1896 - May 1

0.6 c.f.s. Source: Camas Creek, a tributary of Mud Lake.

Point of Diversion: One-fourth mile up Little Spring Creek from the land to be irrigated, and hereinafter described.

116
1897 - June 1

0.8 c.f.s. Source: Little Spring Creek, a tributary of Camas Creek.

Point of Diversion: One-fourth mile up Camas Creek from the land to be irrigated, and hereinafter described.

For use on the following described land, to-wit: The South Half of the Southwest Quarter of Section 32, Township 13 North, Range 39 East, B. M.

41-

MICROFILMED
NOV 17 1992

1
Hilgore, Ida, Sept 28. 1905.

This is to certify that I the undersigned have sold and relinquished all water right belonging to the South half of the S. W. quarter of sec. thirty two township thirteen Range 34 East, amounting to seventy inches, as follows thirty inches from little spring creek, forty inches from main camas creek, amounting to seventy inches to Thomas Shottwell,

Peter Plensen,

MICROFILMED

NOV 17 1992