

No Color

Documents

In File

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: A65-03006A
Date Received: 8/29/1991
Receipt No: X999999
Received By: _____

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

1. Name: CHESTER KERSTEIN 208-939-2226
Address: 2100 ARTESIAN RD
EAGLE ID 83616
AND/OR
Name: JO ANN H KERSTEIN 208-939-2226
Address: 2100 ARTESIAN RD
EAGLE ID 83616

2. Date of Priority: APR 1, 1864

3. Source: SQUAW CREEK Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	01E	27	SE	NW			GEM

5. Description of diverting works:
DAM AND WEST SIDE DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.280		

7. Total Quantity Appropriated is:
0.280 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
07N	01E	3	NW	SW		IRR	1.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	01E	3	SW	SW		IRR	5.0
						Section Acres	6.0
		4	NE	SE		IRR	3.0
			SE	SE		IRR	5.0
						Section Acres	8.0
						Total Acres	14.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:
A65-03005X

14. Remarks:

CLAIMANT OWNS PROPERTY CLAIMED UNDER A65-03006. FILING THIS
CLAIM TO CLARIFY PROPERTY OWNERSHIP.
**CHANGES TO THE POU AND DIVERSION RATE TO REFLECT ACTUAL ACRES
SENDING AMENDED CLAIM ON 2/16/00 SB.
ADDRESS CHANGED BY DB 3/3/2000.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

RECEIVED

MAR 03 2000

WATER RESOURCES
WESTERN REGION

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: A65-03006A
Date Received: 8/29/1991
Receipt No: X999999
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CHESTER KERSTEIN
Address: 16970 MEADOW LANE
NAMPA ID

208-467-3012

AND/OR

Name: JO ANN H KE
Address: 16970 MEADOW LANE
NAMPA ID

208-467-3012

*Address changed
in d-base per
attached request.*

2. Date of Priority:

3. Source: SQUAW CREEK

TE RIVER

4. Point of Diversion:

Township Range Sec
08N 01E 2

County
GEM

*OS
3/3/00*

5. Description of divert
DAM AND WEST SIDE D

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.280		

7. Total Quantity Appropriated is:
0.280 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
07N	01E	3	NW SW		IRR	1.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	01E	3	SW	SW		IRR	5.0
						Section Acres	6.0
		4	NE	SE		IRR	3.0
			SE	SE		IRR	5.0
						Section Acres	8.0
						Total Acres	14.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:
A65-03005X

14. Remarks:

CLAIMANT OWNS PROPERTY CLAIMED UNDER A65-03006. FILING THIS CLAIM TO CLARIFY PROPERTY OWNERSHIP.
**CHANGES TO THE POU AND DIVERSION RATE TO REFLECT ACTUAL ACRES
SENDING AMENDED CLAIM ON 2/16/00 SB.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs 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):

Date: 2/29/00

Date: 2-29-00

State of Idaho

County of Ada

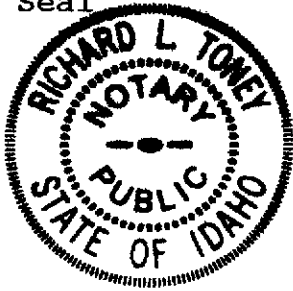
)
)
) SS.

Subscribed and sworn (or affirmed) before me this 29th day

of February 20 00

Richard L Toney
Notary Public

Seal



Residing at Boise, Idaho

My Commission Expires 4-17-04

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 65-03006A

2004 JUN -3 AM 10:55

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *me*

NAME AND ADDRESS: CHESTER KERSTEIN
JO ANN F KERSTEIN
2100 ARTESIAN RD
EAGLE, ID 81616

SOURCE: SQUAW CREEK TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.28 CFS

PRIORITY DATE: 04/01/1964

POINT OF DIVERSION: T08N R01E S27 SENW Within Gem County

RIGHT NO. 65-03005X IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.28 CFS

PLACE OF USE:	Irrigation	Within Gem County
	T07N R01E S03	NWSW 1.0 SWSW 5.0
	S04	NESE 3.0 SESE 5.0
	14.0 Acres Total	

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

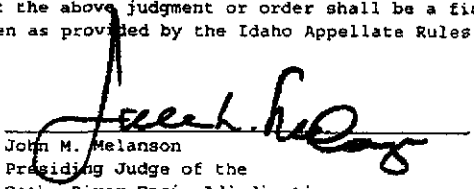
Basin 65 General Provisions No. 3, the Separate Streams
General Provision, does not apply to appropriations of water
after October 18, 1977.

This water right shall be administered as being from a
SEPARATE SOURCE PURSUANT TO BASIN 65 GENERAL PROVISION NO. 3.
If the holder of this right seeks to change the right pursuant
to Idaho Code Section 42-222 or successor statute, nothing in
this general provision shall preclude any other person or entity
from demonstrating that such change in use would cause injury to
its water right or from receiving any relief provided by law in
the event of injury.

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

RULE 54(b) CERTIFICATE

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


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

JAN 24 2002

WATER RESOURCES
WESTERN REGION

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

In Re SRBA

Case No. 39576

A. Subcase 65-3006A
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100
Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234
Daytime Phone: (208) 678-0461 (Dala Walton)

Name & Address of Attorney, if any:
David W. Gehlert (303 312-7352)
Trial Attorney, General Litigation Section
Environment and Natural Resource Division
U.S. Department of Justice
999 18th Street, Suite N 945
Denver, CO 80202

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Chester Kerstein & Jo Ann F. Kerstein
Address: 2100 Artesian Rd.
Eagle, ID 83616

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

- ☒ **General Provision Basin 65 Irrigation & Other Part III (3) Separate Streams**
1. ☐ **Name and Address**
Should be:
 2. ☐ **Source**
Should be:
 3. ☐ **Quantity**
Should be:
 4. ☐ **Priority Date**
Should be:
 5. ☐ **Point(s) of Diversion**
Should be:
 6. ☐ **Instream Flow Description**
Should be:
 7. ☐ **Purpose(s) of Use**
Should be:
 8. ☐ **Period of Year**
Should be:
 9. ☐ **Place of Use**
Should be:
 11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S):

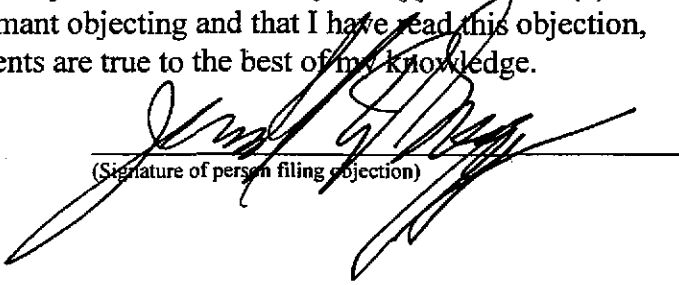
The Bureau of Reclamation objects to the separate stream provision of the Director's Report for Basin 65, Part III. These streams should be administered as part of the Payette River System in order to adequately protect water rights in the Payette River subbasin.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

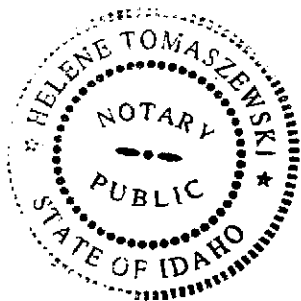
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

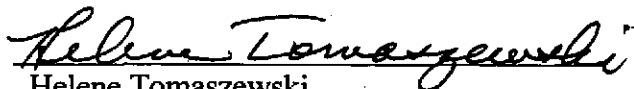

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 9, 2002




Helene Tomaszewski
Notary Public for: Idaho
Residing at: Meridian
My Commission Expires: 01-16-2002

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 17, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID. 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Chester Kerstein & Jo Ann F. Kerstein

Address: 2100 Artesian Rd.
Eagle, ID 83616

3. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

AJ0749NP
No. R65-03006A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/03/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHESTER KERSTEIN	04/01/1864	IRRIGATION	04-01 11-01	0.280 CFS	
C	JO ANN H KERSTEIN 2100 ARTESIAN RD EAGLE ID 83616 (208) 939-2226					
TOTAL DIVERSION:					0.280 CFS	

Water Source: SQUAW CREEK

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion:

T08N R01E S27

SENW

GEM 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	Lt	Ac	:	SUM
07N	01E	3	:									:							01	05	:							:	6.0
07N	01E	4	:									:									:	03				05	:	8.0	
TOTAL ACRES																									14.0				

POU County: GEM

Other Rights: A65-03005X

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

A65-03004 A65-03005X A65-03006A A65-03006B A65-03007 R65-03004 R65-03005X R65-03006B R65-03007

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

A65-02379 A65-03005A A65-03005X A65-03006 A65-03006A A65-03006B A65-03043 A65-03044 A65-10652 A65-10653
R65-03005X R65-03006B R65-10652 R65-10653

Remarks: POD RIGHT NO. 65-03005X IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Comments: Date: 02/16/2000 User-ID: SBOCK Subject: COPIED FROM REMARKS
CLAIMANT OWNS PROPERTY CLAIMED UNDER A65-03006. FILING THIS

AJ0749NP
No. R65-03006A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/03/00
PAGE: 2

=====

Comments: Date: 02/16/2000 User-ID: SBOCK Subject: COPIED FROM REMARKS
CLAIM TO CLARIFY PROPERTY OWNERSHIP.
**CHANGES TO THE POU AND DIVERSION RATE TO REFLECT ACTUAL ACRES
SENDING AMENDED CLAIM ON 2/16/00 SB.

Date: 03/03/2000 User-ID: DBUFFING Subject: NAME CHANGE - ADDRESS CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
ADDRESS CHANGE.

Audit: 03/03/00 DBUFFING



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region. 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

March 6, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CHESTER KERSTEIN
JO ANN KERSTEIN
2100 ARTESIAN RD
EAGLE ID 83616

Re: Notice of Claim to a Water Right No. A65-03005X, A65-03006A, A65-10652 & A65-10653

Dear Claimants:

Enclosed are copies of the above referenced claims, which reflect your change in address.

Your address was already current in our database on water right numbers 65-00088, 65-02650, 65-08136 and 65-10651, therefore, no changes were necessary.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Thank you for your patience and cooperation, as we have had several ownership changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB:db

Enclosure

AJ0749NP
No. R65-03006A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/16/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHESTER KERSTEIN	04/01/1864	IRRIGATION	04-01 11-01	0.280 CFS	
C	JO ANN H KERSTEIN 16970 MEADOW LANE NAMPA ID 83687 (208) 467-3012					
TOTAL DIVERSION:					0.280 CFS	

Water Source: SQUAW CREEK

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion:

T08N R01E S27

SENW

GEM 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	Lt	Ac	: SUM		
07N	01E 3	:								:						:				:				:	6.0	
07N	01E 4	:								:				01	05	:				:	03			05	:	8.0
TOTAL ACRES																							14.0			

POU County: GEM

Other Rights: A65-03005X

Remarks: POD RIGHT NO. 65-03005X IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Comments: Date: 02/16/2000 User-ID: SBOCK Subject: COPIED FROM REMARKS
CLAIMANT OWNS PROPERTY CLAIMED UNDER A65-03006. FILING THIS
CLAIM TO CLARIFY PROPERTY OWNERSHIP.
**CHANGES TO THE POU AND DIVERSION RATE TO REFLECT ACTUAL ACRES
SENDING AMENDED CLAIM ON 2/16/00 SB.

Audit: 02/16/00 SBOCK

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:10:18
12/11/99
118

PAGE: 16
PROFILE REPORT

CLAIM NUMBER: A65-03006A

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHESTER KERSTEIN	04/01/1864	IRRIGATION	04-01 11-01	0.220 CFS	
C	JO ANN H KERSTEIN					
TOTAL DIVERSION:					0.220 CFS	28

Water Source: SQUAW CREEK

Tributary to: Pay R

Stage: DECREED

Point(s) of Diversion: T08N R01E S27 SENW

GEM 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	SUM
07N	01E	3	:																			5.0
07N	01E	4	:																			6.0
TOTAL ACRES																					11.0	

POU County: GEM

Other Rights: A65-03005X

Remarks: GEN CLAIMANT OWNS PROPERTY CLAIMED UNDER A65-03006. FILING THIS CLAIM TO CLARIFY PROPERTY OWNERSHIP.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag: Presumption Flag:

200 P05
3005X

WR5809NP
No. 65-03006

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/08/99
PAGE: 27

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GOODWIN FARMS INC. P.O. BOX 15 SWEET ID 83670	04/01/1864	IRRIGATION	04/01 11/01	3.660 CFS	
TOTAL DIVERSION:					3.660 CFS	

Water Source: SQUAW CREEK

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T08N R01E S27

SENW

GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
07N	01E	3	:					:					:			01	06	:					:	7.0
07N	01E	4	:					:					:					:	03			17	:	20.0
07N	01E	9	:	38		05		35	:				:					:	24	24	28	02	:	156.0
TOTAL ACRES																							183.0	

Pou County: GEM

Dates:	App. Received:	Priority Date:	04/01/1864
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

65-03006A
Kerstein
Sec 3
Sec 4
NWSE(1) SWSW(5)
NESE(3) SESE(5)
CFS 0.28

65-03006B
Harr
SWSW(1)
SESE(12)
Sec 9 ad 12
CFS 3.38

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:05:36
12/11/99

PAGE: 1
GENERAL INFORMATION

103
CLAIM NUMBER: A65-03006A

LAST: KERSTEIN
ADDRESS: 16970 MEADOW LANE
CITY: NAMPA
PHONE NUMBER: 208-467-3012

FIRST: CHESTER
STATE: ID ZIP: 83687

OWNER CODE: C

LAST: KERSTEIN
ADDRESS: 16970 MEADOW LANE
CITY: NAMPA
PHONE NUMBER: 208-467-3012

FIRST: JO ANN H
STATE: ID ZIP: 83687

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN CLAIMANT OWNS PROPERTY CLAIMED UNDER A65-03006. FILING THIS
CLAIM TO CLARIFY PROPERTY OWNERSHIP.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: () -

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y() N()

TIME: __:__ A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A65-03006A PRIORITY DATE: 04-01-1864 STAGE: D

B. WR RECORD: # 65-03006 PRIORITY DATE: 04-01-1864 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☐) Y(☐) N(☐)

FIELD EXAM COMPLETED

N/A(☐) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE

N/A(☐) Y(☐) N(☐)

LICENSE ISSUED

N/A(☐) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N(☐)

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

04-01-1864

REVIEWED BY SB

DATE 2/16/01

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-03006A	08N	01E	27		SE	NW			GEM		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A65-03004 NONE
A65-03005X
A65-03006
A65-03007

WR RECORDS IN SAME 40 ACRE TRACT
65-03003
65-03004
65-03005X
65-03007

SOURCE: SQUAW CREEK

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-03006	08N	01E	27		SE	NW			GEM		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A65-03004 NONE
A65-03005X
A65-03006
A65-03007

65-03003
65-03004
65-03005X
65-03007

SOURCE: SQUAW CREEK

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(☒) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

Same Pod as 65-03005 X

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ☒

TWP. 08N	RGE. 01E	SEC. 27	1/4 SE	1/4 SE	1/4 NW	LOT	POD FLAG	COUNTY GEM	DIVERSION NAME	DIVERSION NBR
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: SQUAW CREEK

TRIB:

Pay R

REVIEWED BY:

JB

DATE:

2/16/00

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A65-03006
A65-03006A

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	01E	3	SW	SW		KERSTEIN, CHESTER	A65-03006A / 5.0	- /			38.0
			SW	SW		HERR, RODNEY H	A65-03006 / 6.0	65-03006 / 6.0			
			SW	SW		SQUAW CREEK DITCH CO	A65-02379 / 25.0	- /			
			SW	SW		SQUAW CREEK DITCH CO	A65-03043 / 25.0	65-03043 / 25.0			
			SW	SW		SQUAW CREEK DITCH CO	A65-03044 / 25.0	- /			
07N	01E	4	SE	SE		KERSTEIN, CHESTER	A65-03006A / 6.0	- /			36.0
			SE	SE		HERR, RODNEY H	A65-03006 / 17.0	65-03006 / 17.0			
			SE	SE		DAVIDSON, CECIL R.		65-00228 /			
			SE	SE		ELDRIDGE, JAMES A.		65-03005A / 1.0			

ADDITIONAL POU FOUND

4 NESE

3 NWSE

TOTAL ACRES

A65-03006A

11.00

74.00

POU COUNTY: GEM

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() NO (X)

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-03006A	SQUAW CREEK	KERSTEIN, CHESTER	0.220	0.020		
A65-02379	SQUAW CREEK	SQUAW CREEK DITCH CO	7.660	0.005		
A65-03006	SQUAW CREEK	HERR, RODNEY H	3.660	0.020		
A65-03043	SQUAW CREEK	SQUAW CREEK DITCH CO	18.000	0.013		
A65-03044	SQUAW CREEK	SQUAW CREEK DITCH CO	3.230	0.002		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A65-03005X

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N(☒)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y(☒) N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(☒)

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;
() NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES: Additional acres should have been claimed
as the Korstian's own the property. Submitting an
Amended claim to the Claimants

RECOMMENDATIONS:

TOTAL ACRES: 14 N/A()
REVIEWED BY: JB DATE: 2/16/00

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-03006A IRRIGATION	FROM 04-01 TO 11-01	0.220 CFS	
TOTAL DIVERSION RATE/VOLUME		0.220 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-03006 IRRIGATION	FROM 04-01 TO 11-01	3.660 CFS	
TOTAL DIVERSION RATE/VOLUME		3.660 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y(☐) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☒) Y(☐) N(☐)

*w/ increase on
amended claim*

PAGE: 9

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CONTINUED

111

CLAIM NUMBER: A65-03006A

NOTES:

as shown

AJ CLAIM TOTAL DIVERSION RATE: 0.220 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 3.660 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 14 x 0.02 CFS/ACRE = .28 CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
IRRIGATION	04-01	11-01	DATABASE 0.220	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			0.220	_____		_____	0.0	_____

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

POD FOS

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

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: 65-03006

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 3.660	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A65-03006	A65-03006	3.660	-		65-03006	3.660
-	A65-03006A	0.220	-		-	
TOTAL CFS		3.880				3.660

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 DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE	FIELD EXAMINER
N	Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: SJB DATE: 2/16/00

NAME OF FIELD EXAMINER: _____ TITLE: _____

See 105-03005X

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:05:36
12/11/99

PAGE: 15
QUICKLOOK INFORMATION

117
CLAIM NUMBER: A65-03006A

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				2	done	SB 2-16-00		
POINT OF DIV				2	done			
SOURCE				2				
PLACE OF USE	Y			2				
DIV. AMOUNT CFS/VOLUME	Y			2				
CONSUMPTIVE USE	-			2				
PURPOSES OF USE				2				
PERIOD OF USE				2				
BASIS OF CLAIM	Y			2				
REMARKS	Y			2				

BARCODE UPDATED
WHOM/DATE



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

February 16, 2000

DIRK KEMPTHORNE
GOVERNOR

Mr. and Mrs. Kerstein
16970 Meadow Ln
Nampa, ID 83687

KARL J. DREHER
DIRECTOR

Re: Claim No. 65-03006A

Dear Mr. and Mrs. Kerstein:

In reviewing your water rights I have come across some changes that should be made to your claim 65-03006A.

The Herr's came into my office with a warranty deed for the lands that they own. It appears that everything above the road in sections 3 and 4 belongs to you. This means that there are some additional acres in these sections that you did not file on.

Please look over the enclosed map, which also shows land irrigated by other water rights you own. If you agree with my assessment for increased acres and diversion rate for this right, please have the enclosed claim form notarized and return to me as soon as possible.

If you have any questions, please give me a call.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Sue Bock', is written over a horizontal line.

Sue Bock
Sr. Water Resource Agent

Enclosure: map, amended claim, profile report



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 30, 1991

RE: Notice of Claims to Water Rights Nos. A65-00088, A65-02650,
A65-03005X, A65-03006A, A65-08136, A65-10651, A65-10652,
and A65-10653

Chester Kerstein
16970 Meadow Lane
Nampa, ID 83687

Dear Mr. Kerstein:

Enclosed are copies of all of the adjudication claims that you filed yesterday. Also enclosed is an "amended" claim form for A65-00088, which changes the place of use to add the areas where the stock drink. We had discussed changing this claim while you were in my office but I forgot to complete the change before you signed the form. I am sorry if this causes you any inconvenience.

Please sign the amended claim form for A65-00088 in the presence of a notary public and return it to my attention.

If I can be of further assistance to you, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker". The signature is written in black ink and is positioned above the typed name and title.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

MICROFILMED

SEP 21 1992

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 03 2000

WATER RESOURCES
WESTERN REGION

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number(s):

ANY OTHER RIGHTS UNDER
CHESTER C KERSTEIN OR
JO ANN F KERSTEIN OR
JO ANN F BARNES OR
LILLIAN I BARNES, JOE BARNES

A 65-03006A

A 65-03005X

A 65-00088

A 65-02650 ^{OK}

A 65-08136 ^{OK}

A 65-10651 ^{OK}

A 65-10652

A 65-10653

~~65-10475~~

~~65-3009A~~

~~65-10650~~

[] Claimant Name(s):

OR THE CHESTER AND JO ANN KERSTEIN
TRUST

CHESTER C KERSTEIN

JO ANN F KERSTEIN

[] Old Mailing Address:

16970 MEADOW LANE

NAMPA, ID 83687

[] New Mailing Address:

CHESTER KERSTEIN

2100 ARTESIAN RD

EAGLE ID. 83616

Telephone Number:

(208) 939-2226

[] Signature of Claimant(s):

Date:

4/1/00

5-03004A not found in d-base

5-10475 - disallowed -
(w.r. side)

5-10650 in Simplot's
name.

John V. Kerstein
4-1-00

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: A65-03006A

Date Received: 8/29/1991

Receipt No: X9999999

Received By: KW

late fee W013633

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHESTER KERSTEIN 208-467-3012
Address: 16970 MEADOW LANE
NAMPA ID 83687

AND/OR

Name: JO ANN H. KERSTEIN 208-467-3012
Address: 16970 MEADOW LANE
NAMPA ID 83687

2. Date of Priority: APR 1, 1864

3. Source: SQUAW CREEK Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	01E	27	SE	NW			GEM

5. Description of diverting works:
DAM AND WEST SIDE DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.220		

7. Total Quantity Appropriated is:
0.220 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
07N	01E	3	SW	SW		IRR	5.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	5.0
		4	SE	SE	IRR	6.0
					Section Acres	6.0
					Total Acres	11.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:
A65-03005X

14. Remarks:

CLAIMANT OWNS PROPERTY CLAIMED UNDER A65-03006. FILING THIS
CLAIM TO CLARIFY PROPERTY OWNERSHIP.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs

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: 0

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): *[Signature]* Date: 8/29/91
Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 29th day

of August 19 91

Kathleen Walker
Notary Public

Seal

Residing at Boise, Idaho
My Commission Expires 2-14-1993

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: A65-03006
Date Received: 1/30/1990
Receipt No: X999999
Received By: Lu

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RODNEY H. HERR 208-343-9438
Address: 400 COSTON DR.
BOISE, ID 83712

OR

Name: MARCIA H. HERR 208-343-9438
Address: 400 COSTON DR.
BOISE, ID 83712

2. Date of Priority: APR 01, 1864

3. Source: SQUAW CREEK Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	01E	27	SE	NW			GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.660		

7. Total Quantity Appropriated is:
3.660 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
07N	01E	3	NW	SW	IRR	1.0
			SW	SW	IRR	6.0
			Section Acres			7.0
		4	NE	SE	IRR	3.0
			SE	SE	IRR	17.0
			Section Acres			20.0
		9	NE	NE	IRR	38.0
			NW	NE	IRR	5.0
			SE	NE	IRR	35.0
			NE	SE	IRR	24.0
			NW	SE	IRR	24.0
			SW	SE	IRR	28.0
			SE	SE	IRR	2.0
			Section Acres			156.0
			Total Acres			183.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): X Marcia H. Lave Date: X 1-30-90

Date: _____

State of Idaho)
County of Ada) ss.

Subscribed and sworn (or affirmed) before me this 30 day
of Jan 19 90

Seal

Linda Werner
Notary Public
LINDA WERNER

RESIDING AT EAGLE, IDAHO

Residing at MY COMMISSION EXPIRES DEC. 8, 1994

My Commission Expires _____