

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: **A65-08257A**
Date Received: 11/10/1988
Receipt No: X999999
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: DIETLINDE TOLLEMACHE 310-275-9639
Address: 1114 SAN YSIDRO DR
BEVERLY HILLS CA 90210

AND

Name: J NICHOLAS TOLLEMACHE 310-275-9639
Address: 1114 SAN YSIDRO DR
BEVERLY HILLS CA 90210

2. Date of Priority: JUN 1, 1940

3. Source: SPRING Trib. to: WILHELM CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	03E	13	NE	NW			VALLEY

5. Description of diverting works:
HEADGATE, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.120		

7. Total Quantity Appropriated is:
0.120 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
17N	03E	13	NE	NW		IRR	6.0

10. Place of Use: Continued

Section Acres 6.0

Total Acres 6.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF
CLAIM NO. 65-08257, NO FEE REQUIRED ON BASIN 65 DECREED RIGHTS.

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



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

MAR 19 1998

Please print or type
(see instructions on back of page)

Department of Water Resources

DATE OF CLOSING: Oct 20, 1997

LEGAL DESCRIPTION OF PROPERTY: Township 17N Range 03E
 Section 13, 1/4 of NE 1/4 of NW 1/4, Govt. Lot , BM.
 Lot , Block , Subdivision/Townsite .
 If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: A65-08256 and A65-08257
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): J. NICHOLAS TOLLEMACHE and DIETLINDE TOLLEMACHE
1114 SAN YSIDRO DR.
BEVERLY HILLS, CA., 90210
- ☐ New Owner/Claimant (Purchaser): KENNETH O. FEDDERS and RUTH A. FEDDERS
- ☐ New Mailing Address: P.O. BOX 2004
MCCALL, IDAHO, 83638
- ☐ New Telephone Number: (208) 634-1211
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes x no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Warranty Deed Attached
 (proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s) Kenneth O. Fedders Date 3-10-98
Ruth A. Fedders Date 3-10-98
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
 _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner

WARRANTY DEED

For Value Received, JOHN NICHOLAS LYONEL TOLLEMACHE and DIETLINDE MARIANNE HANNELORE TOLLEMACHE, husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto
KENNETH O. FEDDERS and RUTH A. FEDDERS
husband and wife

whose address is: P.O. BOX 2004, MCCALL, IDAHO 83638
the Grantees, the following described premises, to-wit:

See attached as Exhibit "A"

SUBJECT TO THE RIGHTS, POWERS AND EASEMENTS OF THE BOULDER IRRIGATION DISTRICT AND RIGHT OF WAY ALONG THE NORTHERN BOUNDARY OF FINN CHURCH LANE.

TOGETHER WITH ANY AND ALL WATER RIGHTS APPERTAINING THERETO.

TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the 1997 taxes and assessments and exceptions shown above and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: October 15, 1997

John Nicholas Lyonel Tollemache
JOHN NICHOLAS LYONEL TOLLEMACHE

Dietlinde Marianne Hannelore Tollemache
DIETLINDE MARIANNE HANNELORE TOLLEMACHE

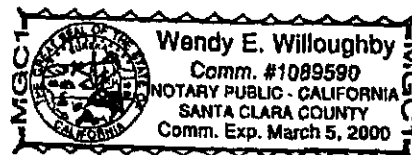
BY: John Nicholas Lyonel Tollemache, HER ATTORNEY IN FACT

State of California,

County of Santa Clara } ss

On the 15th day of October, 1997 before me, Wendy E. Willoughby, a notary public in and for said State, personally appeared JOHN NICHOLAS LYONEL TOLLEMACHE known to me to be the persons whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Wendy E. Willoughby
Notary Public
Residing at: San Jose, CA.
Commission Expires: 3-5-00



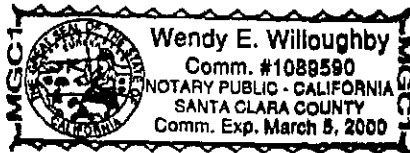
State of California)

County of *Santa Clara*)^{ss}
Clara

On this *15th* day of *October* in the year 1997 before me

personally appeared JOHN NICHOLAS LYONEL TOLLEMACHE
 known to me to be the person whose name is subscribed to the within
 instrument as the attorney in fact of DIETLINDE MARIANNE HANNELORE
 TOLLEMACHE and acknowledged to me that he subscribed the name of
 DIETLINDE MARIANNE HANNELORE TOLLEMACHE thereto as principal and
 his own name as attorney in fact.

Wendy E. Willoughby
 Notary Public
 Residing at: *Santa Clara*
 Commission Expires: *3/5/00*



229217
Book #10
 REC'D
 DEIRICH
 RECORDER
John V. Young
 FEE: *29.00*
 '97 OCT 30 PM 3 35
 MOUNTAIN TITLE & ESCROW
 RECORDED

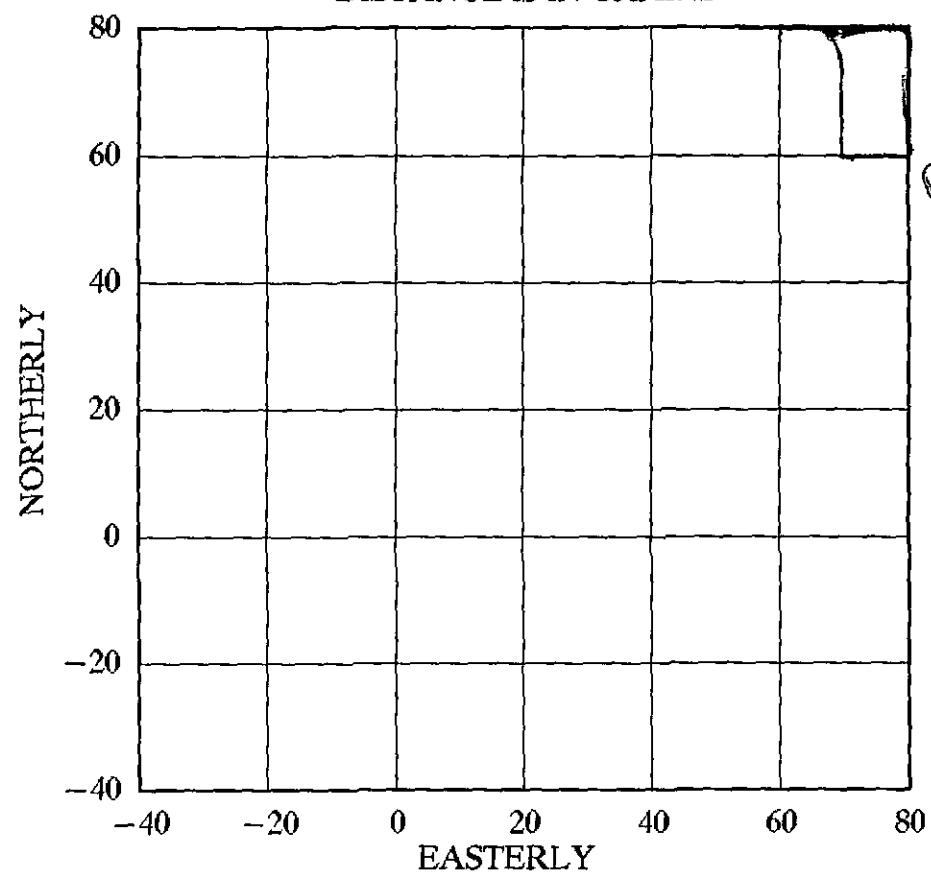
TOTAL P.02

EXHIBIT A

A parcel of land, situated in the NW1/4, Section 13, Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of Section 13, noted above, thence along the line common to Sections 12 and 13, S. 89° 38' 32" E., 1802.23 feet to a point, the point of beginning; thence, departing said Section line S. 27° 35' 54" E., 324.24 feet to a point; thence S. 0° 21' 47" W., 1034.12 feet to a point; thence S. 89° 40' 41" E., 699.74 feet to a point, thence N. 0° 22' 51" E., 1320.09 feet to a point; thence along the line common to Sections 12 and 13, N. 89° 38' 32" W., 852.18 feet to the point of beginning.

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



NENW
moved
over
to 40, 80
instead of
80, 0

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: A65-08257
Date Received: 11/10/1988
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J NICHOLAS TOLLEMACHE 310-275-9639
Address: 1114 SAN YSIDRO DR
BEVERLY HILLS CA 90210

AND

Name: DIETLINDE TOLLEMACHE 310-275-9639
Address: 1114 SAN YSIDRO DR
BEVERLY HILLS CA 90210

2. Date of Priority: JUN 1, 1940

3. Source: SPRING Trib. to: BOULDER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	03E	13	NE	NW			VALLEY

5. Description of diverting works:
HEADGATE, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.560		
STOCKWATER	01/01	12/31	0.020		0.40

7. Total Quantity Appropriated is:
0.560 C.F.S. (and/or) 0.40 A.F.A.

8. Total consumptive use is 56.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/30 HEAD CATTLE

~~MICROFILMED~~
AUG 03 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	03E	13	NE	NW		IRR	28.0
Section Acres							28.0
Total Acres							28.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:
THIS RIGHT WHEN COMBINED WITH RIGHT 65-2308 SHALL PROVIDE NO
MORE THAN .02 CFS/ACRE.
OWNERSHIP CHANGED BY LH 5/23/94.

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: _____

Date: ~~MICROFILMED~~

September 29, 1999

NOTICE OF ERROR
REPLY

RECEIVED
OCT 28 1999
WATER RESOURCES
WESTERN REGION

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: October 29, 1999

Water right number: 65-08257A

DIETLINDE TOLLEMACHE
J NICHOLAS TOLLEMACHE
1114 SAN YSIDRO DR
BEVERLY HILLS CA 90210

Daytime Telephone Number:

Evening Telephone Number:

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: 10/23/99 SIGNATURE: [Signature]
Please print your name: J. NICHOLAS TOLLEMACHE

AJ0749NP
No. R65-08257A

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

DATE: 07/26/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DIETLINDE TOLLEMACHE	06/01/1940	IRRIGATION	04-15 10-15	0.120 CFS	
C	J NICHOLAS TOLLEMACHE					
	1114 SAN YSIDRO DR					
	BEVERLY HILLS CA 90210			TOTAL DIVERSION:	0.120 CFS	
	(310) 275-9639					

Water Source: SPRING

Tributary to: WILHELM CREEK

Stage: DECREED

Point(s) of Diversion: T17N R03E S13 NENW

VALLEY 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	Lt	Ac	Lt	Ac	:	
17N	03E	13	:					:	06					:					:						:	6.0
																							TOTAL ACRES	6.0		

POU County: VALLEY

Conditions of Approval:

W22 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- BOULDER IRRIGATION CO.

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

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

Comments: Date: 07/26/1999 User-ID: SBOCK Subject: COPIED FROM REMARKS
THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF
CLAIM NO. 65-08257, NO FEE REQUIRED ON BASIN 65 DECREED RIGHTS.

Date: 07/26/1999 User-ID: SBOCK Subject: SPLIT
WHEN CHANGE OF OWNERSHIP WAS FIRST PROCESSED ON THIS RIGHT, THE
FEDDERS WERE GIVEN THE ENTIRE RIGHT. IN LOOKING OVER THEIR
LEGAL AND PLOTTING IT OUT, THEY DO NOT OWN THE ENTIRE RIGHT.
I SPOKE WITH MR. FEDDERS ON THE PHONE TODAY AND HE SAID THEY

AJ0749NP
No. R65-08257A

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

DATE: 07/26/99
PAGE: 2

=====

Comments: Date: 07/26/1999 User-ID: SBOCK Subject: SPLIT
PURCHASED 22 ACRES FROM TOLLEMACHE. AT 1' TO THE ACRE, THIS
WOULD LIVE TOLLEMACHE WITH 6 ACRES AND .12 CFS. THE STOCKWATER
COMPONENT IS GOING TO FEDDERS.

Audit: 07/26/99 SBOCK

AJ0749NP
No. A65-08257A

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

DATE: 07/26/99
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KENNETH O FEDDERS RUTH A FEDDERS PO BOX 2004 MC CALL ID 83638 (208) 634-1211	06/01/1940	IRRIGATION	04-15 10-15	0.560 CFS	12
			STOCKWATER	01-01 12-31	0.020 CFS	0.40 AFA
			TOTAL DIVERSION:		0.560 CFS	0.40 AFA

=====

Water Source: SPRING

Tributary to: BOULDER CREEK

Stage: DECREED

Point(s) of Diversion:

T17N R03E S13

NENW

VALLEY 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 Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	SUM		
17N	03E	13	:	:	28	:	:	:	:	:	:	:	:	28.0		
TOTAL ACRES													28.0			

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: VALLEY

Non-Irrigation Uses: ~~S/SO~~ HEAD CATTLE

Other Rights: NONE

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHT 65-2308 SHALL PROVIDE NO
MORE THAN .02 CFS/ACRE.
OWNERSHIP CHANGED BY LH 5/23/94.
OWNERSHIP CHANGED BY DMS 3/20/98.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:08
07/27/99

PAGE: 1
GENERAL INFORMATION

41
CLAIM NUMBER: A65-08257A

LAST: KANTOLA
ADDRESS: 721 HAZEL
CITY: EMMETT
PHONE NUMBER: 208-365-5234

FIRST: JAMES E
STATE: ID ZIP: 83617

OWNER CODE: O

LAST: TOLLEMACHE
ADDRESS: 1114 SAN YSIDRO DR
CITY: BEVERLY HILLS
PHONE NUMBER: 310-275-9639

FIRST: J NICHOLAS
STATE: CA ZIP: 90210

OWNER CODE: C

LAST: MCGOVERN
ADDRESS: 8142 REDLANDS #106
CITY: PLAYA DEL RAY
PHONE NUMBER: 213-305-8478

FIRST: MADENE
STATE: CA ZIP: 90293

OWNER CODE: O

LAST: KANTOLA
ADDRESS: ROUTE 1 BOX 79
CITY: MC CALL
PHONE NUMBER: 208-000-0000

FIRST: EDWIN
STATE: ID ZIP: 83638

OWNER CODE: O

LAST: KANTOLA
ADDRESS: ROUTE 1 BOX 79
CITY: MC CALL
PHONE NUMBER: 208-000-0000

FIRST: ELMA
STATE: ID ZIP: 83638

OWNER CODE: O

LAST: TOLLEMACHE
ADDRESS: 1114 SAN YSIDRO DR
CITY: BEVERLY HILLS
PHONE NUMBER: 310-275-9639

FIRST: DIETLINDE
STATE: CA ZIP: 90210

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORITON OF

PAGE: 2
GENERAL INFORMATION

42
CLAIM NUMBER: A65-08257A

CLAIM REMARKS (CONT'D):

CLAIM NO. 65-08257, NO FEE REQUIRED ON BASIN 65 DECREED RIGHTS.

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: # A65-08257A PRIORITY DATE: 06-01-1940 STAGE: D

B. WR RECORD: # 65-08257 PRIORITY DATE: 06-01-1940 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:

06-01-1940

REVIEWED BY JB

DATE 7/27/99

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
A65-08257A	17N 03E	13		NE	NW			VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A65-08256 R65-08256
A65-08257B R65-08257B

WR RECORDS IN SAME 40 ACRE TRACT
65-08256

SOURCE: SPRING

TRIB: WILHELM CREEK

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
65-08257	17N 03E	13		NE	NW			VALLEY		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A65-08256 R65-08256
A65-08257B R65-08257B

SOURCE: SPRING

TRIB: BOULDER CREEK

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: _____

=====

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY VALLEY	DIVERSION NAME	DIVERSION NBR
17N	03E	13		NE	NW					
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: _____ TRIB: _____

REVIEWED BY: SB

DATE: 7/27/99

=====

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

A. ROOT WATER RIGHT NUMBERS: A65-08257A
A65-08257B

R65-08257A

R65-08257B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
17N	03E	13	NE	NW		TOLLEMACHE, J NICHOLAS	A65-08257A / 6.0	- /			41.0
			NE	NW		BOULDER IRRIGATION CO	A65-02308 / 28.0	65-02308 / 28.0			
			NE	NW		TOLLEMACHE, J NICHOLAS	A65-02943Q / 18.0	- /			
			NE	NW		FEDDERS, KENNETH O	A65-02943R / 22.0	- /			
			NE	NW		FEDDERS, KENNETH O	A65-08257B / 22.0	- /			
			NE	NW		TOLLEMACHE, J NICHOLAS	R65-02943Q / 18.0	- /			
			NE	NW		FEDDERS, RUTH A	R65-02943R / 22.0	- /			
			NE	NW		TOLLEMACHE, DIETLINDE	R65-08257A / 6.0	- /			
			NE	NW		FEDDERS, KENNETH O	R65-08257B / 22.0	- /			
			NE	NW		FEDDERS, KENNETH O	A65-08256 / 5.0	65-08256 / 5.0			
			NE	NW		FEDDERS, KENNETH O	R65-08256 / 5.0	- /			
			NE	NW		KANTOLA, EDWIN		65-08257 / 28.0			

ADDITIONAL POU FOUND

TOTAL ACRES A65-08257A 6.00 41.00

POU COUNTY: VALLEY

6
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C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N(☒)

* 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
A65-08257A	SPRING	TOLLEMACHE, J NICHOLAS	0.120	0.020		
A65-02308	BOULDER CREEK	BOULDER IRRIGATION CO	24.000	0.019		
R65-02943Q	JUG CREEK	TOLLEMACHE, J NICHOLAS			4.75	0.12
A65-02943Q	JUG CREEK	TOLLEMACHE, J NICHOLAS			4.75	0.12
A65-02943R	JUG CREEK	FEDDERS, KENNETH O			2.75	0.12
R65-02943R	JUG CREEK	FEDDERS, RUTH A			2.75	0.12
R65-08256	GROUNDWATER	FEDDERS, KENNETH O	0.070	0.014	2.40	0.48
A65-08256	GROUNDWATER	FEDDERS, KENNETH O	0.070	0.014	2.40	0.48
R65-08257A	SPRING	TOLLEMACHE, DIETLINDE	0.120	0.020		
R65-08257B	SPRING	FEDDERS, KENNETH O	0.440	0.020	0.40	0.01
A65-08257B	SPRING	FEDDERS, KENNETH O	0.440	0.020	0.40	0.01

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-08256	DOMESTIC	FEDDERS, KENNETH O	FROM 01-01 TO 12-31	0.040 CFS	2.40 AF/A
R65-08256	DOMESTIC	FEDDERS, KENNETH O	FROM 01-01 TO 12-31	0.040 CFS	2.40 AF/A

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

Y(☒) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

Boulder Irr.

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: The Fedders have filed on this claim. In looking at
their warranty deed, & speaking to Mr. Fedder,
they only own 22 acres of the 28. So this right
was split perpetually.

RECOMMENDATIONS:

TOTAL ACRES: 6 N/A()

REVIEWED BY: SB

DATE: 7/27/99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-08257A IRRIGATION	FROM 04-15 TO 10-15	0.120 CFS	
TOTAL DIVERSION RATE/VOLUME		0.120 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-08257 IRRIGATION	FROM 04-15 TO 10-15	0.560 CFS	
65-08257 STOCKWATER	FROM 01-01 TO 12-31	0.020 CFS	0.40 AF/A
TOTAL DIVERSION RATE/VOLUME		0.560 CFS	0.40 AF/A

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(☐)

PAGE: 10

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

50

CLAIM NUMBER: A65-08257A

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.120 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.560 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 6 x 0.02 CFS/ACRE = 12 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	04-15	10-15	DATABASE 0.120	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT				_____		_____		_____

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

W22

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: 65-08257

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	0.560	_____	

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A65-08257	A65-08257A	0.120	R65-08257A	0.120	65-08257	0.560
-	A65-08257B	0.440	R65-08257B	0.440	-	
TOTAL CFS		0.560		0.560		0.560

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:

OK

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

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

00:00:08
07/27/99

PAGE: 16
QUICKLOOK INFORMATION

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CLAIM NUMBER: A65-08257A

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								
POINT OF DIV								
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

00:03:59
07/27/99
57

CLAIM NUMBER: A65-08257A

POU County: VALLEY

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



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