

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 37-353K
Date Received: 2/23/1998
Receipt No: S020901
Received By:

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

1. Name of Claimant(s)

MARK D FISHER Phone: (208)578-0094
PO BOX 650
BELLEVUE ID 83313

DANETTE L FISHER Phone: (208)578-0094
PO BOX 650
BELLEVUE ID 83313

2. Date of Priority: 06/12/1886

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	36	SW NW	BLAINE	

5. Description of diverting works:

DISTRICT 45 CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.36	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:
37-353K

05/06/2005

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	18E	24	NE	NE	IRRIGATION	9
					Section Acres	9
					Total Acres	9

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

PLACED CLAIM ON HOST TEMP AS SHE DECIDED TO RESEARCH WARRANTY DEED AND WATERMASTER RECORDS TO DETERMINE HISTORY OF WATER USE. SHE MAY COME IN LATER TO FILE THE CLAIM. KKC 2-17-98 ***** 2/23/1998, DJ: CLAIM FILED THIS DAY. PLACE OF USE ALSO KNOWN AS LOT 7, BLOCK 1 DEAN RANCH SUBDIVISION.

15. Basis of Claim: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 9, 2005

MARK FISHER
DANETTE FISHER
PO BOX 650
BELLEVUE ID 83313

Re: SRBA Claim(s) 37-353K

Dear Mr. and Mrs. Fisher:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Trish Fawcett', is written over a horizontal line.

Trish Fawcett
Technical Records Specialist

Enc.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED**MAY 05 2005**Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
37-353K	37-353K				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

Bruce B. & Sherry L. Price
 P.O. Box 905, Bellevue, ID 83313

4. New Owner/Claimant(s)

Mark D. & Danette L. Fisher

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 650

City, State and ZIP Code

Bellevue, ID 83313

New Telephone Number

208 578-0094

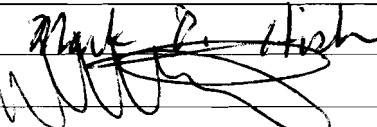
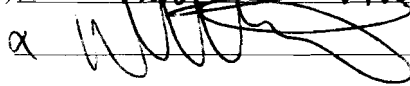
5. Date you acquired the property

4-25-05

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)  _____
(include title if applicable)  _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

**SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

Claim Number(s):

37-353 K

Previous Mailing Address:

Bruce Price

Sherry Price

P.O. Box 905

Bellvue, ID 83313

New Mailing Address:

Mark D. Fisher

Danette L. Fisher

P.O. Box 650

Bellvue, ID 83313

Telephone Number:

(208) 578-0094

Signature of Claimant(s):

2 Mark D. Fisher
2 [Signature]

Please return this completed form to:

Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

★ Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177

(208) 736-3033 - 239

SS

ADDRESS FM

Revised 12/13/1999

Trish

IDWR Use Only:

Data Entry: _____

Date: _____

AFTER RECORDING MAIL TO:

Mark D. Fisher and Danette L. Fisher
P.O. Box 650
Bellevue, ID 83313

WARRANTY DEED

File No.: **110741-K (sn)**

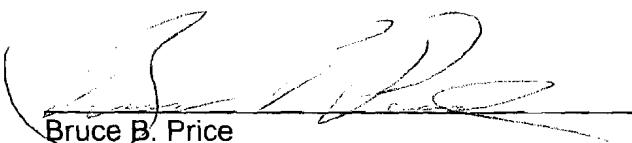
Date: **April 06, 2005**

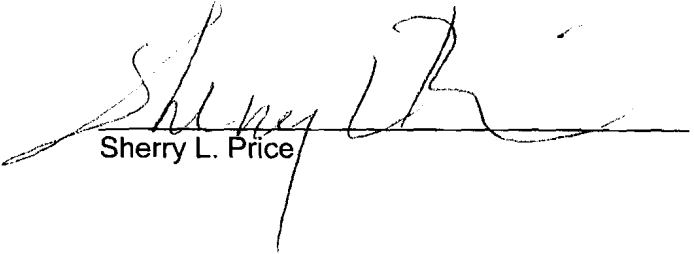
For Value Received, **Bruce B. Price and Sherry L. Price, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Mark D. Fisher and Danette L. Fisher, husband and wife**, hereinafter called the Grantee, whose current address is **P.O. Box 650, Bellevue, ID 83313**, the following described premises, situated in **Blaine County, Idaho**, to-wit:

LOT 7 IN BLOCK 1 OF DEAN RANCH SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED AS INSTRUMENT NO. 169670, RECORDS OF BLAINE COUNTY, IDAHO.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

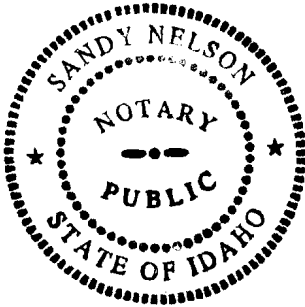
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

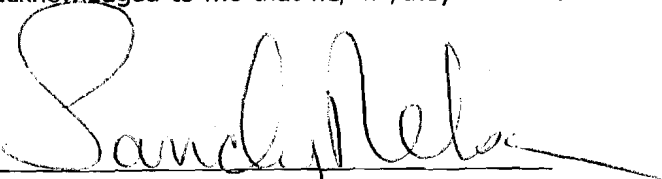

Bruce B. Price


Sherry L. Price

STATE OF Idaho)
)
COUNTY OF Blaine)
)

On this 25th day of April, 2005, before me, a Notary Public in and for said State, personally appeared **Bruce B. Price and Sherry L. Price**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.





Notary Public for the State of Idaho
Residing at: Bellevue, ID
My Commission Expires: 4-12-11

IN THE DISTRICT COURT OF THE JUDICIAL DISTRICT OF THE STATE OF IDAHO,
RECEIVED IN AND FOR THE COUNTY OF

FEB 23 1998

Department of Water Resources
Southern Region

Ident. Number: A37-00353K

Date Received: 2/23/98

Receipt No: 5030901

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SHERRY PRICE 208-788-4740
Address: PO BOX 1022
BELLEVUE ID 83313

OR

Name: BRUCE PRICE 208-788-4740
Address: PO BOX 1022
BELLEVUE ID 83313

2. Date of Priority: JUN 12, 1886

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	36	SW	NW			BLAINE

5. Description of diverting works:
DISTRICT 45 CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.360		

7. Total Quantity Appropriated is:
0.360 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
01N	18E	24	NE	NE		IRR	9.0

Section Acres 9.0

COPY

10. Place of Use: Continued

Total Acres 9.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

PLACED CLAIM ON HOST TEMP AS SHE DECIDED TO RESEARCH WARRANTY
DEED AND WATERMASTER RECORDS TO DETERMINE HISTORY OF WATER USE.
SHE MAY COME IN LATER TO FILE THE CLAIM. KKC 2-17-98

2/23/1998, DJ: CLAIM FILED THIS DAY. PLACE OF USE ALSO KNOWN AS
LOT 7, BLOCK 1 DEAN RANCH SUBDIVISION.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S. C. FROST, ET. AL.
Decree Plaintiff

ALTURAS WATER COMPANY, 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.

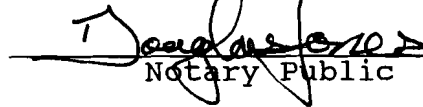
Signature of Claimant(s): Sherry Price Date: 2-23-98

Date: _____

COPY

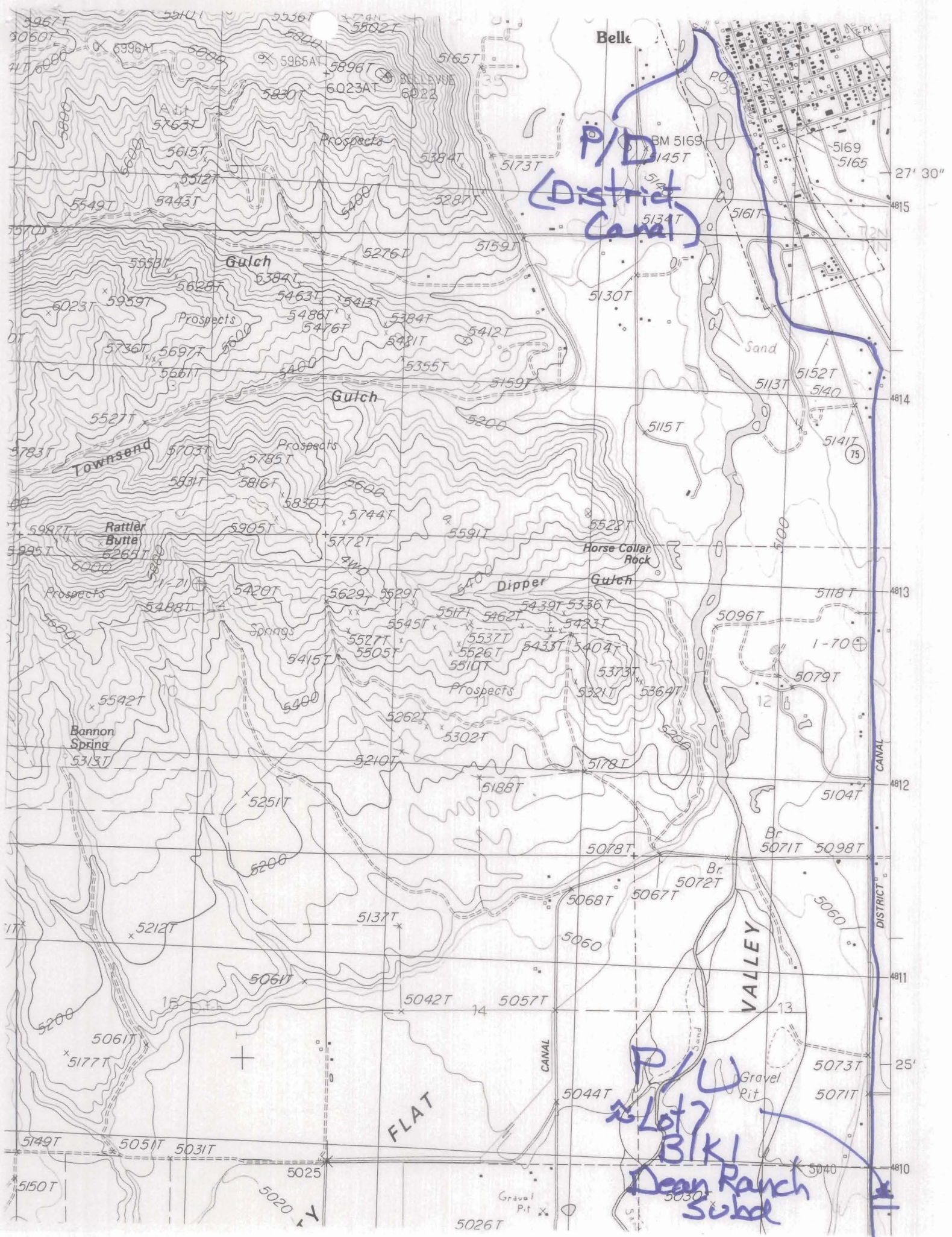
State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 23rd day
of February 19 98


Notary Public

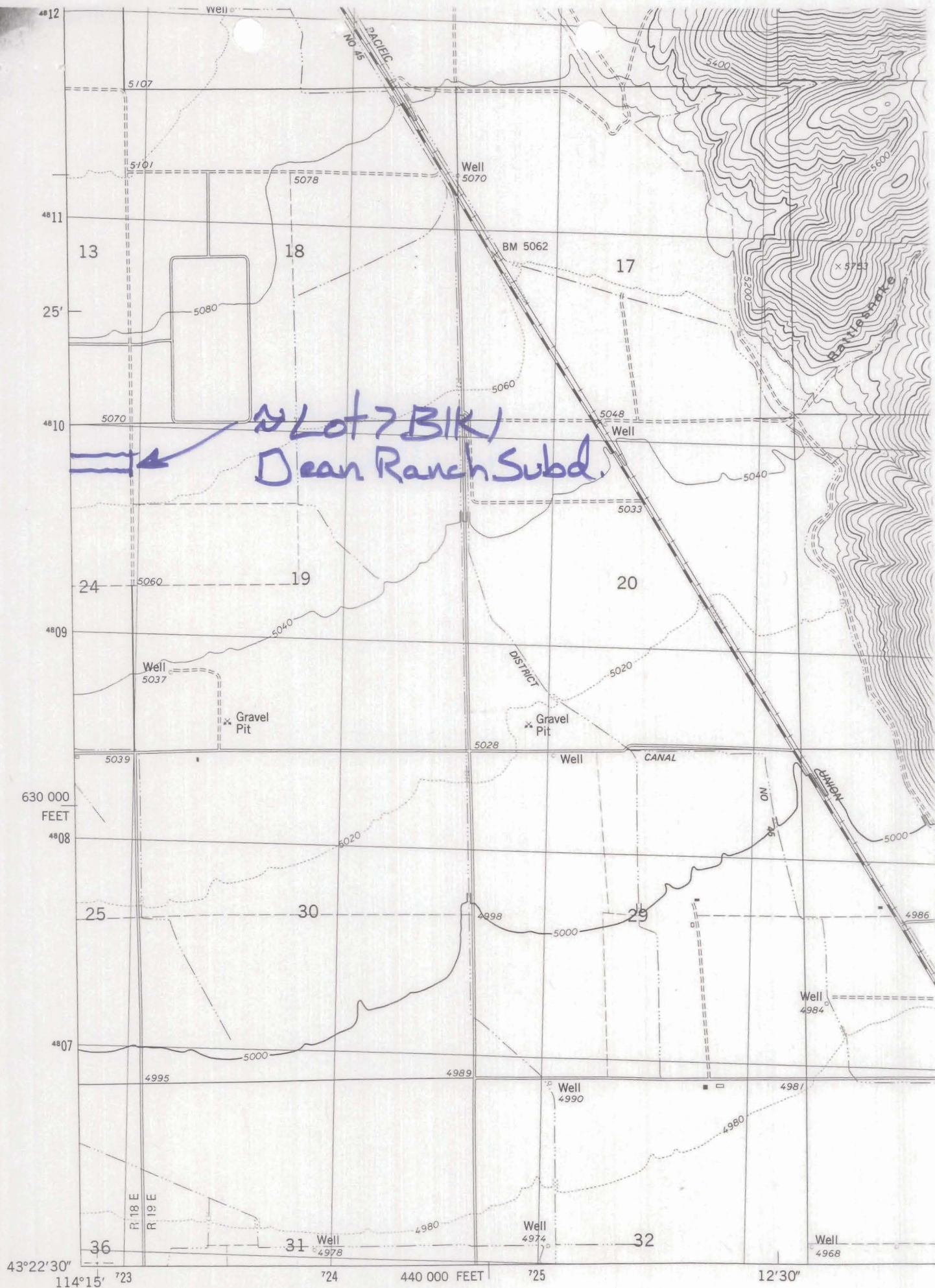
Seal

Residing at Buhl Id
My Commission Expires 8/8/2001



P/O
(District
Canal)

P/U
Lot 7
BKI
Dean Ranch
Subd





STATE OF IDAHO)
COUNTY OF ADA)

1, Harold A. Cox, being first duly sworn, deposes and says that he is a professional engineer, licensed to practice by the State of Texas, that he has compared the above copy with the original plot and that the same is a true and exact copy of said plot.

Subscribed and sworn before me this 2nd
day of January, 1926

Notary Public for Idaho My Commission Expires
Residing at Boise, Idaho 2-4-74

- b Brass Cap
- Found String Manometer
- d Found slightly 4 or 5 mm from
S. J. Found cap B.
- e S/B's M. Set up -
- f Set S/B's 30' from B. A mess found
OOD west of 200 ft. "Joker"

I-U-B ENGINEERS, INC
Engineers Planners
Boise, Idaho

Johnnie 110⁸

Frank
Ditchcock
1:00 p.m.

Point of Diversion

County Blaine

Township 2N

Range 18E

Section 36, NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$

A37-00353K

Placed on Host

Temp 2-17-98 KK

Description of Diversion

District #45 headgate & canal

W.R. Number 37-00353 - 6-12-1886

James Johnson

File up to 20"

deed - Boulder
watermaster
warranty deed

You Need - Legal Description of
property.
Fa-~~tot~~

Water still in canal
contin

ON HOT TEMP (not a valid claim)

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

Ident. Number: A37-00353K
Date Received: / /
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SHERRY PRICE 208-788-4740
Address: PO BOX 122
BELLEVUE ID 83313
OR
Name: BRUCE PRICE 208-788-4740
Address: PO BOX 122
BELLEVUE ID 83313

2. Date of Priority: JUN 12, 1886

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	36	SW	NW			BLAINE

5. Description of diverting works:
DISTRICT 45 CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.100		

7. Total Quantity Appropriated is:
0.100 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
01N	18E	24	NE	NE		IRR	9.0
Section Acres							9.0

10. Place of Use: Continued

Total Acres 9.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

PLACED CLAIM ON HOST TEMP AS SHE DECIDED TO RESEARCH WARRANTY
DEED AND WATERMASTER RECORDS TO DETERMINE HISTORY OF WATER USE.
SHE MAY COME IN LATER TO FILE THE CLAIM. KKC 2-17-98

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S. C. FROST, ET. AL.
Decree Plaintiff

ALTURAS WATER COMPANY, 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: _____

11/21/2006

**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: 12/13/2006

Water right number: 37-353K

MARK D FISHER
PO BOX 650
BELLEVUE ID 83313
Telephone Number: (208)578-0094

DANETTE L FISHER
PO BOX 650
BELLEVUE ID 83313
Telephone Number: (208)578-0094

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: 12-8-06 SIGNATURE: 

Please print your name: Danette Fisher

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED

DEC 14 2006

01/04/2007

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

RIGHT NUMBER: 37-353K

NAME AND ADDRESS: MARK D FISHER
PO BOX 650
BELLEVUE ID 83313

DANETTE L FISHER
PO BOX 650
BELLEVUE ID 83313

REVISED

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.280 CFS

PRIORITY DATE: 06/12/1886

POINT OF DIVERSION:

T02N R18E S36 NESWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.280 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S24 NENE 6.30

6.3 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a portion of former Right 37-353.

The place of use is further described as Lot 7 of the Dean Ranch Subdivision.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

January 3, 2007

Mark D Fisher
PO Box 650
Bellevue, ID 83313

JAMES E. RISCH
Governor

KARL J. DREHER
Director

RE: SRBA Recommendation 37-353K

Dear Mr. Fisher;

My initial recommendation of this claim was for a diversion rate of 0.36 cfs, which was what you claimed. However, Water Right 37-353 is now over-claimed by 0.28 cfs. The excess amount cannot be allowed, so it is necessary to reduce some claims by 21.2% in order to stay within the original decreed rate of 6.4 cfs. Four claims that have been recommended cannot be traced back to known previous owners, and your claim is one of these. I am therefore revising my recommendation for your claim to 0.28 cfs. The original acreage recommendation remains the same.

If you have questions, feel free to contact me. Once the Director's Report for your area comes out (it is presently scheduled to be released during the third week in January), you can file a formal objection to the recommendation if you so desire.

Regards,

James E. Stanton
Sr. Water Resource Agent

12/01/2006

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

RIGHT NUMBER: 37-353K

NAME AND ADDRESS: MARK D FISHER
PO BOX 650
BELLEVUE ID 83313

DANETTE L FISHER
PO BOX 650
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.360 CFS

PRIORITY DATE: 06/12/1886

POINT OF DIVERSION:

T02N R18E S36 NESWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.360 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S24 NENE 6.30

6.3 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a portion of former Right 37-353.

The place of use is further described as Lot 7 of the Dean Ranch Subdivision.

11/18/2006

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

RIGHT NUMBER: 37-353K

NAME AND ADDRESS: MARK D FISHER
PO BOX 650
BELLEVUE ID 83313

DANETTE L FISHER
PO BOX 650
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.360 CFS

PRIORITY DATE: 06/12/1886

POINT OF DIVERSION:

T02N R18E S36 NESWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

0.360 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S24 NENE 6.30

6.3 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a portion of former Right 37-353.

The place of use is further described as Lot 7 of the Dean Ranch Subdivision.



Idaho Department of Water Resources

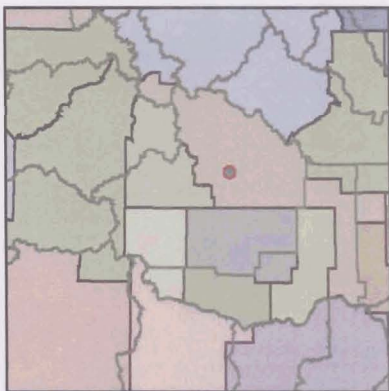
SRBA Recommendation:

37-353K

(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County
IDWR Basin 37



Prepared by J. Stanton
On Saturday, November 18, 2006
2004 Aerial Photography

Owner: Mark D Fisher

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 20, 1999

Lee Peterson, Watermaster
Water District 37
P.O. Box P
Shoshone, Idaho 83352

RECEIVED
DEC 28 1999
Department of Water Resources
Southern Region

Re: Assessment of Claims to Right No. ~~37-00353~~ Frost Decree -- James Johnson)

Dear Lee:

You have requested guidance from the Department of Water Resources on which claimants to parts of Right No. 37-00353 should be included in the Water District 37 "Decree Book." Claims to various parts of the right have been filed in the Snake River Basin Adjudication. The claims, in total, exceed the decreed amount of the right. Some of the new claimants were not previously identified in the Water District records as having an ownership interest in the water right and have not been previously assessed by the Water District. Some of the claimants not previously identified in the Water District's records have called for water delivery based upon their claims. It is my understanding that the right is delivered by the Water District to the head of the District 45 canal along which most of the claimants are located. Because the Water District does not control delivery from the canal, your records do not verify use of water under the rights by the claimants.

Based upon this understanding Water District 37 should include in its Decree Book each of the water users claiming a part of Right No. 37-00353 that have demonstrated a probable ownership. Those having a probable ownership in the right include:

a. Water users listed in the Water District Records as having an ownership interest. These include:

1. Gardner	180 inches
2. Fosnot	20 inches
3. Grigsby (formerly Bick)	20 inches
4. Kantenwein	10 inches
5. Oppenheimer	20 inches
6. Stricker	20 inches
7. Driever	10 inches

A37-00353	BICK, J KARL	C	06/12/1886	D/	BIG WOOD RIVER	1 IRR
	BICK, JUDITH G	C				4 STOCK
A37-00353A	SPLIT RIGHT,	C	06/12/1886	/Z	BIG WOOD RIVER	1 IRR
					SPL IT RI GHT	
A37-00353B	STRICKER, EDWARD W	C	06/12/1886	D/	BIG WOOD RIVER	1 IRR
	STRICKER, JEANNINE	C				4 STOCK
A37-00353C	SPLIT RIGHT,	C	06/12/1886	/Z	BIG WOOD RIVER	1 IRR
					SPL IT RI GHT	
A37-00353D	GARDNER, ROBERT	C	06/12/1886	D/	BIG WOOD RIVER	1 IRR
	GARDNER, KATHRYN	C				
A37-00353E	OPPENHEIMER JR, HARRY	C	06/12/1886	D/	BIG WOOD RIVER	1 IRR
A37-00353F	ZIKER TRUSTEE, RICHARD	C	06/12/1886	D/	BIG WOOD RIVER	1 IRR
	ZIKER TRUSTEE, PAULA	C				
A37-00353G	DRIEVER, DOUGLAS	C	06/12/1886	D/	BIG WOOD RIVER	1 IRR
A37-00353H	KANTENWEIN, REID	C	06/12/1886	D/	BIG WOOD RIVER	1 IRR
A37-00353J	OLSEN LIVESTOCK CONSUL	C	06/12/1886	D/	BIG WOOD RIVER	1 IRR
~~A37-00353K~~	PRICE, SHERRY	C	06/12/1886	D/	BIG WOOD RIVER	1 IRR
	PRICE, BRUCE	C				
A37-00353L	GOICOECHEA, TOM	C	06/12/1886	D/	BIG WOOD RIVER	1 IRR
	GOICOECHEA, ANNETTE	C				

Frank -

2/13/98

A Sherry Price from Bellevue is coming @ 1:00 p.m. on Tuesday Feb. 17th. to file a claim on 37-00353 (part). Said she bought 10 Ac. a couple of years ago in the Dean Ranch Subdivision and Jim Eakin from the Canal Co. told her to come down and file a claim with us. She will bring some aerial photos she has and I asked her to get a copy of the plat map, if possible. Can you help her?

Her phone nos. 788-2482 (Work)
788-4740 (Home)

Jamie:
To Agent of the Day!
Not 7/1

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE

February 17, 1998 3:26pm

CUSTOMER

SHERRY PRICE

A37-00353K

SUBJECT: FILING NEW CLAIM

phone call (.) walk-in (X)

She bought 10 acres in the Dean Ranch Subdivision about three years ago and Jim Eakin of the district canal told her to file a claim with us if she wanted him to deliver water to her property. There are numerous splits of this right already and a Preliminary Order issued by the Dept. on a call for water by Olsen Livestock. Since there are some unclear issues on this right she decided to do a warranty deed search on her parcel to see if there was ever any mention of water rights in either her deed or previous deeds before she pursues a claim. This number has been placed on the Host Temp at this time....

SD-0611-2 Basin: 37 Starting Water Right: 00353

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
—	37-00353			00/00/0000	/			WR
—	37-00353A			00/00/0000	/Z			WR
—	37-00353B	FOSNOT, ROBERT E.	C	06/12/1886	D/	BIG WOOD RIVER	IRR	WR
—	37-00353C			00/00/0000	/Z			WR
—	37-00353D	DRIEVER, DOUGLAS	C	06/12/1886	D/	BIG WOOD RIVER	IRR	WR
—	37-00353E	JOHNSON, JAMES	C	06/12/1886	D/	BIG WOOD RIVER	IRR	WR
—	37-00353F	CHEK, GUS	C	06/12/1886	D/	BIG WOOD RIVER	IRR	WR
—	A37-00353	BICK, J KARL	C	06/12/1886	D/	BIG WOOD RIVER	IRR	AJ
—		BICK, JUDITH G	C				STOCK	
—	A37-00353A	SPLIT RIGHT	C	06/12/1886	/Z	BIG WOOD RIVER SPLIT RIGHT	IRR	AJ
—	A37-00353B	STRICKER, EDWARD W	C	06/12/1886	D/	BIG WOOD RIVER	IRR	AJ
—		STRICKER, JEANNINE	C				STOCK	
—	A37-00353C	SPLIT RIGHT	C	06/12/1886	/Z	BIG WOOD RIVER SPLIT RIGHT	IRR	AJ

(GOLD6=Print Profile Rpt For All Rights/Claims on Screen)

(Enter=Continue)

(GOLD7=This Query)

(GOLD8=Cancel)

(Menu _____)

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
-	A37-00353D	GARDNER, ROBERT	C	06/12/1886	D/	BIG WOOD RIVER	IRR	AJ
-		GARDNER, KATHRYN	C					
-	A37-00353E	OPPENHEIMER JR, HARR	C	06/12/1886	D/	BIG WOOD RIVER	IRR	AJ
-	A37-00353F	LONG, WILLIAM R	C	06/12/1886	D/	BIG WOOD RIVER	IRR	AJ
-	A37-00353G	DRIEVER, DOUGLAS	C	06/12/1886	D/	BIG WOOD RIVER	IRR	AJ
-	A37-00353H	KANTENWEIN, REID	C	06/12/1886	D/	BIG WOOD RIVER	IRR	AJ
-	A37-00353J	OLSEN, TOM	C	06/12/1886	D/	BIG WOOD RIVER	IRR	AJ
-	R37-00353	BICK, JUDITH G	C	06/12/1886	D/	BIG WOOD RIVER	IRR	AJ
-		BICK, J KARL	C				STOCK	

(GOLD6=Print Profile Rpt For All Rights/Claims on Screen)
(Enter=Continue) (GOLD7=This Query) (GOLD8=Cancel) (Menu)

Stricker	10A	353B
		7310
Bick	10A	<u>353</u>
		8012
William Lewis		<u>12952</u>
William Long	<u>10A</u>	<u>353F</u>

WR- 37-00353

A

B FosNOT
.4CFS

Sec 24 SENE 6A

C

~~D~~ DRIEVER A37-00353G
.20CFS 6A *claim in full*
Sec 1¹⁸/₈ 13 SENE

E Johnson 2A

F Chok

5.60CFS

.2CFS 7.5A

A37-00353H KANTERWEIN

Sec 13 E 1/2 SE 1/4

18 SWSW

Sec 18 SWSW 7.5A

.20CFS

24 E 1/2 NE 1/4

A37-00353 10A Bick
Sec 24 NENE .30CFS

A37-00353F 10A (.2CFS) LONG
Sec 24 NENE

A37-00353J OLSEN
Sec 24 SENE 10A .27CFS