

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: A74-04031
Date Received: 4/27/1990
Receipt No: E014376/00
Received By: CD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GORDEN R. KIRSCHENMANN
Address: RT. 1, BOX 24
SALMON, ID

83467

2. Date of Priority: MAY 01, 1900

3. Source: WIMPEY CREEK

Trib. to: LEMHI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot
21N	23E	35	NE	NW	SW	

County
LEMHI
LEMHI

5. Description of diverting works:
DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.015		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
S/66 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
21N	23E	34	SW	SE		STOCK	
			SE	SE		STOCK	

A74-04031

Page 1

Date: 04/27/90

MICROFILMED

DEC 14 1992

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? ~~YES~~ No.

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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 X 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): Gordon R. Kuschmann Date: 5-7-90

Date: _____

State of Idaho)
County of LEMHI) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of MAY 1990

Tim Allen
Notary Public

Seal

Residing at SALMON

My Commission Expires 2-19-91

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: 3956
Ident. No.

A74-04028
A74-04029
A74-04030
A74-04031
A74-04032
A74-04033
A74-04034
A74-04035
A74-04036
A74-04037

8/5 Peach.

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

Please type or print clearly:

See letter item 3

Name of claimant(s) Gorden R. Kirschenmann

Mailing Address
(including zip code) Rt. 1, Box 25
Salmon, Idaho 83467

Phone Number (208) 756 - 3026



MAY - 6 1988

Department of Water Resources
Eastern District Office

MICROFILMED

DEC 14 1992

Rt. 1, Box 25
Salmon, Idaho 83467
May 6, 1990

Idaho Department of Water Resources
150 Shoup, Suite #15
Idaho Falls, Idaho 83402

RECEIVED

MAY - 8 1990

Department of Water Resources
Eastern District Office

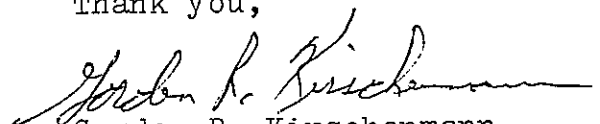
Dear sirs;

Please find enclosed the following:

- 1) Five (5) adjudicated notices of claim to a water right on BOHANNON CREEK. Ident. No. 74-00185
74-00186
74-00457 No Filing Fees
74-00455
74-00458
- 2) Three (3) adjudicated notices of claim to a water right on the LEMHI RIVER. Ident. No. 74-00454
74-00453 No Filing Fees
74-00474
- 3) Ten (10) notices of claim to a water right filed in 1983. Please note the error in items 6 & 7. The C.F.S. should be 0.015 NOT 0.150 on claim A74-04037. Ident. No. A74-04028
A74-04029
A74-04030
A74-04031
A74-04032 Filing Fee 10 X \$25.00 = \$250.00
A74-04033
A74-04034
A74-04035
A74-04036
A74-04037
- 4) Two (2) notices of claim to a water right (new applications) for stockwater from the LEMHI RIVER and BOHANNON CREEK. Filing Fee 2 X \$25.00 = \$50.00

Total fees enclosed: \$300.00

Thank you,


Gordon R. Kirschenmann



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 29, 1994

GORDON R KIRSCHENMANN
RT 1 BOX 24
SALMON ID 83467

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #A74-04031
~~R. Skinner~~

Dear Mr. Kirschenmann:

Following your telephone call this morning, enclosed is a copy of the August 12, 1994 letter from Milton A. Slavin regarding ~~Ray and Baby Skinner's~~ Claim A74-04031.

I apologize for our oversight.

Sincerely,

Sally Sherman
Secretary, Adjudication Bureau
Department of Water Resources

SS:region

Enclosures:

Copy of 8/12/94 Slavin Letter

9-1-94

Per Don Shaff / Ernie Carlsson, letter
A74-04031 in Kirschenmann's name.

MICROFILMED

NOV 15 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Ray + Rubie Skinner
Rt 1 Box 27
Salmon ID 83467

MAILING DATE: July 29, 1994

RESPONSE DATE: Aug 18, 1994

RE: NOTICE OF CLAIM NO[S]: A74-04031

Dear Claimant(s):

We are currently preparing the Notice(s) of Claim referenced above for the Director's Report in the Snake River Basin Adjudication. Our research indicates there may have been a change in either the ownership or address for the above claim(s). IDWR records currently show the following name and address for the owner of the claim(s) listed above:

Gordon R Kirschenmann
Rt 1 Box 24
Salmon ID 83467

If our current records, as listed above, are not correct please complete the enclosed Change in Ownership or Change of Address form, as appropriate, to correct our records.

Your response must be received in this office by the Response Date indicated above. If no response is received from you, all further legal notices concerning the claim(s) will be sent to the name and address shown above. If you have claims other than those referenced here, please contact the Department so we may assist you in updating the information for all your claims. Should you have any questions, or feel that you need assistance, please contact IDWR at 1-800-451-4129.

Sincerely,

Donald V. Shaff
Manager Adjudication Section

state:region

Enclosures:

Change of Ownership Form
Change of Address Form

MICROFILMED

NOV 15 1996

CLAIMANT CALLED TODAY RE THIS LETTER: ALTHOUGH SKINNER MAY OWN DOU, BLU PERMIT ARE BY CLAIMANT ABOUTS SKINNER LAND THAT HAS NO FORCE. CLAIMANT USES DITCH THAT CUTS THROUGH PUBLIC & PRIVATE LANDS TO HIS LANDS. CLAIMANT WOULD CONTEST ANY CHANGE IN OWNERSHIP. Shaff 8-15-94

a

MILTON A. (JOCK) SLAVIN
ATTORNEY AT LAW
1016 MAIN ST., P.O. BOX 1103, SALMON, IDAHO 83467
208/756-2030

RECEIVED
AUG 17 1994
Department of Water Resources

August 12, 1994

State of Idaho
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

RE: Notice of Claim: A74-04031 - (R. SKINNER)

Attention: Donald V. Shaff
Manager Adjudication Section

Dear Mr. Shaff:

This office represents Ray and Ruby Skinner, to whom you addressed your letter of inquiry dated July 29, 1994, a copy of which is hereby enclosed.

In response to your letter, the Skinners, would like to assist you in correcting your records, as follows:

1. Ray and Ruby Skinner, have owned and still own the land irrigated by the ditch in question. Gorden Kirschenmann does not own the land on which the ditch is located, or through which the ditch flows.

2. That during the 1960's the BLM fenced off the water hole used by the BLM grazing permittees adjacent to the Skinner's property. As a result of this fencing, the Kirschenmann's previous permit holder (Ralph Logan), requested permission from the Skinner's to water his livestock from the Skinner's ditch while utilizing his grazing rights. This permission was granted to Mr. Ralph Logan, who has since sold his "base" properties to Gorden Kirschenmann.

3. Because the Skinner's had not previously been notified and were unaware of the Kirschenmann filing of claim number A74-04031, filed on 5-10-90, they hereby object on the grounds;

(a) That this use was by permission only; and

(b) That this use was for stock water only during the BLM grazing permit usage; and

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NOV 15 1990

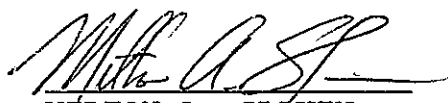
August 12, 1994
Page 2

(c) This use does not have a priority date of 1900.

We hope that this has answered your questions and we appreciate this opportunity to update your information on file.

If you have any questions, please feel free to contact this office.

Very truly yours,


MILTON A. SLAVIN

Reviewed this ____ day of August, 1994, and acknowledged by:


RAY SKINNER
Rt 1 Box 27
Salmon, Idaho 83467

MAS/st

MICROFILMED
NOV 15 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 22, 1994

GORDON R KIRSCHENMANN
RT 1 BOX 24
SALMON ID 83467

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #A74-04031

Dear Mr. Kirschenmann:

Enclosed is a copy of a letter written on behalf of Ray and Ruby Skinner contesting, at least in part, elements of the water right claim you have made for stockwater. When you telephoned the other day your concerns were primarily limited to the issues of ownership. The contents of Mr. Slavin's letter appear to move beyond those issues.

You may send a response to support your claim to the department, although you are not required to do so. The Department's Director's Report to the court will not be prepared for several years. Investigating and final review of your claim will occur closer to the time of that report.

Any response you wish to make should be sent to the Department's Eastern region office:

Adjudication Bureau
Idaho Department of Water Resources
900 N Skyline
Idaho Falls, ID 83402-3653
Telephone 208/525-7161

The staff in that office can ably assist you should you have any questions.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:ss:region
cc: Milton A. Slavin

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AUG 24 1994

Department of Water Resources
Eastern District Office

MICROFILMED

NOV 15 1990

OCT-05-1998
0054

1

RIGHT NUMBER: 74-04031

NAME AND ADDRESS: GORDEN R KIRSCHENMANN
RT 1 BOX 24
SALMON ID 83467

SOURCE: WIMPEY CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 0.015 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 05/01/1900

POINT OF DIVERSION: T21N R23E S35 NESW Within LEMHI County
NWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.015 CFS

PLACE OF USE: STOCKWATER Within LEMHI County
T21N R23E S34 SWSE SESE

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 21N23E347200
STOCKWATER, 66, CATTLE

✓ OK RBS
11/10/98



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

RECEIVED

MAR 17 1999

PHILIP E BATT
GOVERNOR

Department of Water Resources
Eastern Region
KARL J DREHER
DIRECTOR

RECEIVED

MAR 16 1999

CHANGE IN ADDRESS

Department of Water Resources
Southern Region

- ☐ Water Right Number(s): 74-04028, 29, 30, 31, 32, 33, 34, 35, 36, & 37
stock water and domestic 74-10175; 74-00455
irrigation- A74-00723; A74-00185; A74-00186; A74-00457
- ☐ Old Mailing Address: Gorden R. Kirschenmann
Rt. 1, Box 24
Salmon, Idaho 83467
- ☐ New Mailing Address: Gorden R. Kirschenmann
Rt. 1, Box 25
Salmon, Idaho 83467
- ☐ New Telephone Number: (208) 756-3026
- ☐ Signature of Claimant(s): Gorden R. Kirschenmann

Date: March 15, 1999

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:

Copy sent to SRBA court

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

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS

SUBCASE NO. 74-04028, 74-04029,
74-04030, 74-04031, 74-04032, 74-04033,
74-04034, 74-04035, 74-04036, 74-04037

IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

Name and New Address of Claimant:

GORDEN R KIRSCHENMANN
RT 1 BOX 25
SALMON ID 83467

Phone:

(208) 756-3026

The Claimant has filed Objections or Responses to the following water rights:
NO OBJECTIONS

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: March 19, 1999

Ernest Carlson
Signature of IDWR Representative

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

5/21/96

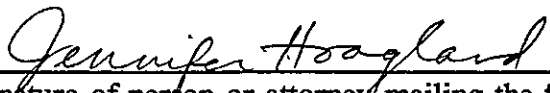
74-04028, 74-04029, 74-04030, 74-04031, 74-04032, 74-04033, 74-04034, 74-04035, 74-04036,
74-04037

Page 1

CERTIFICATE OF MAILING

I certify that on 3/19, 1999, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant or attorney of record:
GORDEN R KIRSCHENMANN
RT 1 BOX 25
SALMON ID 83467
3. One Copy to:
Each party in the subcase or attorney of record:
N/A
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

NOTICE OF COMPLETED

ADMINISTRATIVE PROCEEDING

5/21/96

74-04028, 74-04029, 74-04030, 74-04031, 74-04032, 74-04033, 74-04034, 74-04035, 74-04036,
74-04037

RIGHTS FROM: SOURCE: WIMPEY CREEK TRIBUTARY: LEMHI RIVER

RIGHT NUMBER: 74-04031

NAME & ADDRESS: GORDEN R KIRSCHENMANN
RT 1 BOX 25
SALMON ID 83467

SOURCE: WIMPEY CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 0.015 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 05/01/1900

POINT OF DIVERSION: T21N R23E S35 NESW Within LEMHI County
NWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.015 CFS

PLACE OF USE: STOCKWATER Within LEMHI County
T21N R23E S34 SWSE SESE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 21N23E347200
STOCKWATER, 66, CATTLE



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

GORDON R KIRSCHENMANN
RT 1 BOX 25
SALMON ID 83467

RE: Notice of Change of Address for 74-04028, 74-04029,
74-04030, 74-04031, 74-04032, 74-04033, 74-04034,
74-04035, 74-04036, 74-04037 and Notice of Completed
Administrative Proceeding (NCAP)

Dear Mr. Kirschenmann:

On March 16, 1999, the Idaho Department of Water
Resources (IDWR) received a change of address for the
above referenced water right(s). Based on this change,
IDWR water right records for the Snake River Basin
Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office
mailed a copy of the updated water right record(s) to
each party listed on the enclosed NCAP. The intent of
this mailing is to ensure each party has a current record
of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions
concerning this matter.

Respectfully,

Jennifer Hoagland
Technical Records Specialist

Enclosure

OLD (D) NUMBER -

+ - - - - - ADDRESS - - - - - +

PHONE -

+ - - - STATUS - - - - +

+ - - - - - TRIBUTARY - - - - - +
LEMHI RIVER

21N	23E	35	NE SW	(59)	LEMHI
			NW SW	(59)	LEMHI

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
04 -	STOCKWATER	01/01	12/31	0.015	

+ - TOTAL DIV. RATE - +		+ - TOTAL DIV. VOLUME - +		+ - TOTAL DIV. CAPACITY - +		+ - TOTAL CONSUMPTIVE USE - +		+ - KW USAGE - +	
	0.015						0.0		

TWN	RNG	SEC	TRACT	LOT	ACRES	CODE	DESCRIPTION	COUNTY
21N	23E	34	SW SE			04	STOCKWATER	(59) LEMHI
21N	23E	34	SE SE			04	STOCKWATER	(59) LEMHI

+ - - OTHER RIGHTS FOR SAME USE -

- - - REMARKS - -
NO REMARKS FOUND.

- - - OLD WATER RIGHT NUMBERS - -
NO OLD WATER RIGHT NUMBERS FOUND.

- - - CONDITIONS OF APPROVAL - -
NO CONDITIONS OF APPROVAL FOUND.

+ - DECREE DATE - +
00/00/0000

