

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: A37-11828
Date Received: 10/20/1988
Receipt No: S003082
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FLYING HEART RANCH OWNERS ASSN. 208-788-2461
Address: P.O. BOX 2163
HAILEY, ID 83333

2. Date of Priority: MAY 14, 1886

3. Source: UNNAMED SPRINGS Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	5	SW	NE	NE		BLAINE

5. Description of diverting works:
NATURAL STREAMS TO POND WITH NATURAL DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
RECREATION STORAGE	01/01	12/31			15.00
AESTHETIC STORAGE	01/01	12/31			15.00
FISH PROPAGATION	01/01	12/31	10.000		

7. Total Quantity Appropriated is:
10.000 C.F.S. (and/or) 15.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
RECREATION, AESTHETICS, AND FISHING.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	18E	5	NE	NE		REC S	

A37-11828

Page 1

Date: 10/20/88

COPY MICROFILMED
MAR 01 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02N	18E	5	NE		NE		AES S	
			NE		NE		FISH	
			NW		NE		REC S	
			NW		NE		AES S	
			NW		NE		FISH	
			SE		NE		AES S	
			SE		NE		REC S	
			SE		NE		FISH	

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:

A37-07767

14. Remarks:

RESEARCH HAS REVEALED THAT AN EARLIER PRIORITY DATE WAS ESTABLISHED FOR THESE USES AT THIS P/U. SEE WR #37-04420.

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 X do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

For Organizations:

I do solemnly swear or affirm that I am The attorney of
Flying Horse Ranch Owners Assn Title
Organization that I have signed the foregoing

document in the space below as The attorney of
FHROA Title
Organization and that the statements contained in the
foregoing document are true and correct.

Thomas J. Baller
Signature of Authorized Agent
att - FHROA
Title and Organization
10/20/88
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of October 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id
My Commission Expires 6-30-94

10/23/2006

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

RIGHT NUMBER: 37-11828
NAME AND ADDRESS: FLYING HEART RANCH II SUBDIVISION OWNERS ASSN
PO BOX 2163
HAILEY ID 83333
Forfeited/abandoned due to non-use.



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

April 15, 2005

X
X
X
X

Re: Evidence of Priority

RESPONSE DEADLINE
JUNE 17, 2005

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, in the coming year, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the Department. If you have received this correspondence from the previous owner of the property it is required that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted – it may be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement does **not** need to be in the form of a notarized affidavit as described in the brochure, but must relate first hand knowledge of the water right in question and include dates, quantities of water and extent of water use.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice of Claim number (i.e. 37-_____). If you have questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enclosures

**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

Subcase No. 37-11828

STANDARD FORM 5

**STIPULATED ELEMENTS OF A
WATER RIGHT**

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

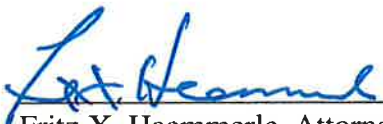
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANTS/OBJECTORS:

Flying Heart Ranch II Subdivision Owners Assn

OBJECTORS/RESPONDENTS:

Concerned Water Users

 6/15/11
Fritz X. Haemmerle, Attorney Date

 6-22-11
Albert Barker, Attorney

STANDARD FORM 5 – 37-11828

COPY

**SCANNED
6-17-11**

OBJECTORS:

Big Wood Canal Company

Craig D. Hobdey 7-5-11
Craig D. Hobdey, Attorney Date

IDWR Concurrence:

Kelly K. Christensen 7-12-11
IDWR Agent Date Deputy Attorney General, IDWR Date

CERTIFICATE OF MAILING

I certify that on _____, 2011, I mailed the original and copies of this form, 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, Idaho 83303-2707

2. Copies to:

BIG WOOD CANAL CO
BILL MOLYNEUX
GERALD BASHAW
GRACE EAKIN
JOHN F STEVENSON
PEPIN CORSO-HARRIS
PETE VAN DER MEULEN
ROCKY SHERBINE
TOM O GARA

Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139

BIG WOOD CANAL COMPANY

Represented by:
CRAIG D. HOBDEY
125 5TH AVE
PO BOX 176
GOODING, ID 83330

FLYING HEART RANCH II

Represented by:
HAEMMERLE, FRITZ X.
PO BOX 1800
HAILEY, ID 83333

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

Signature of person or attorney mailing the form

05/05/2011

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

RIGHT NUMBER: 37-11828

NAME AND ADDRESS: FLYING HEART RANCH II SUBDIVISION OWNERS ASSN
C/O FRITZ HAEMMERLE
400 S MAIN ST
HAILEY ID 83333

COPY

SOURCE: UNNAMED STREAM BIG WOOD RIVER ^{AKR} TRIBUTARY: BIG WOOD RIVER MALAD RIVER

QUANTITY: 11.20 AFY

When 37-7767 and 37-11828 are combined they are limited to a facility
volume of 18.8 af. ^{AKR} ^{AK}

PRIORITY DATE: 05/15/1884

POINT OF
DIVERSION:

T02N R18E S5 NENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION STORAGE	01/01 12/31	11.20 AFY
AESTHETIC STORAGE	01/01 12/31	11.20 AFY

PLACE OF USE: RECREATION STORAGE in BLAINE County

T02N R18E S05 Lot 1 NENE T02N R18E S05 Lot 2 NWNE

AESTHETIC STORAGE in BLAINE County

T02N R18E S05 Lot 1 NENE T02N R18E S05 Lot 2 NWNE

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

10/27/2010

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

RIGHT NUMBER: 37-11828

NAME AND ADDRESS: FLYING HEART RANCH II SUBDIVISION OWNERS ASSN
C/O FRITZ HAEMMERLE
400 S MAIN ST
HAILEY ID 83333*Amended
Directors Report
Received by
Court Oct 29, 10*

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 11.20 AFY

PRIORITY DATE: 05/15/1884

POINT OF
DIVERSION:

T02N R18E S5 NENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION STORAGE	01/01 12/31	11.20 AFY
AESTHETIC STORAGE	01/01 12/31	11.20 AFY

PLACE OF USE:

RECREATION STORAGE in BLAINE County

T02N R18E S05 Lot 1 NENE

T02N R18E S05 Lot 2 NWNE

AESTHETIC STORAGE in BLAINE County

T02N R18E S05 Lot 1 NENE

T02N R18E S05 Lot 2 NWNE

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

05/05/2011

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

RIGHT NUMBER: 37-11828

NAME AND ADDRESS: FLYING HEART RANCH II SUBDIVISION OWNERS ASSN
C/O FRITZ HAEMMERLE
400 S MAIN ST
HAILEY ID 83333

VERIFIED BY

KKC
5-5-11

SOURCE: UNNAMED STREAM ~~BIG WOOD RIVER~~ TRIBUTARY: BIG WOOD RIVER ~~MALID RIVER~~

QUANTITY: 11.20 AFY

When 37-7767 and 37-11828 are combined they are limited to a facility volume of 18.8 af.

PRIORITY DATE: 05/15/1884

POINT OF
DIVERSION:

T02N R18E S5 NENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION STORAGE	01/01 12/31	11.20 AFY
AESTHETIC STORAGE	01/01 12/31	11.20 AFY

PLACE OF USE: RECREATION STORAGE in BLAINE County

T02N R18E S05 Lot 1 NENE T02N R18E S05 Lot 2 NWNE

AESTHETIC STORAGE in BLAINE County

T02N R18E S05 Lot 1 NENE T02N R18E S05 Lot 2 NWNE

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

Apr. 22, 2011

37-11828-7767. Flying Heart Ranch. Sub.

Fritz - history **7767** being litigated but
found a late claim.
Late obj. granted.

Resp. Deadline Mar 8 (Fr. Becker/Hobdy)

Meet @ Mar 17. @ courthouse & video conf.

* Status Conf Apr. 26th 2:30

My report due by Mar 1.

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
AUG 26 2010	
By _____	Clerk
Deputy Clerk	

**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	) Subcase Nos. 37-07767 and 37-11828)) ORDER GRANTING MOTION TO FILE) AMENDED NOTICE OF CLAIM;)) ORDER REQUESTING AMENDED) DIRECTOR'S REPORT AND SETTING) DEADLINES)) ORDER SETTING STATUS) CONFERENCE
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On July 19, 2010, the claimant of the above-captioned water rights, Flying Heart Ranch II Subdivision Homeowners Association, through its attorney Fritz X. Haemmerle, filed a *Standard Form 4 Motion to File Amended Notice of Claim* for water right 37-11828. A hearing on the motion was held on August 23, 2010. Based upon the comments of the participants at the hearing, and pursuant to I.R.C.P. 15, and good cause appearing, the *Motion* is **granted**.

The Idaho Department of Water Resources is requested to file an *Amended Director's Report* for water right claim 37-11828 no later than **October 29, 2010**. In addition, as discussed on the record at the hearing, it is likely that IDWR will file an *Amended Director's Report* for related water right claim 37-07767. Notice of the filing of the *Amended Director's Report(s)* shall be published on the Court's Docket Sheet in November 2010, and objections to the *Amended Director's Report* shall be filed by **November 29, 2010**. Responses to objections shall be filed by December 15, 2010. The objection(s) currently on file will not survive the filing of the *Amended Director's*

Report, and the parties are required to file new objections / responses as they deem necessary.

A status conference will be held on February 22, 2011, at the Snake River Basin Adjudication Courthouse, 253 3rd Avenue North, Twin Falls, Idaho. Parties may participate by telephone by dialing 215-446-0193 and when prompted entering the code 675342.

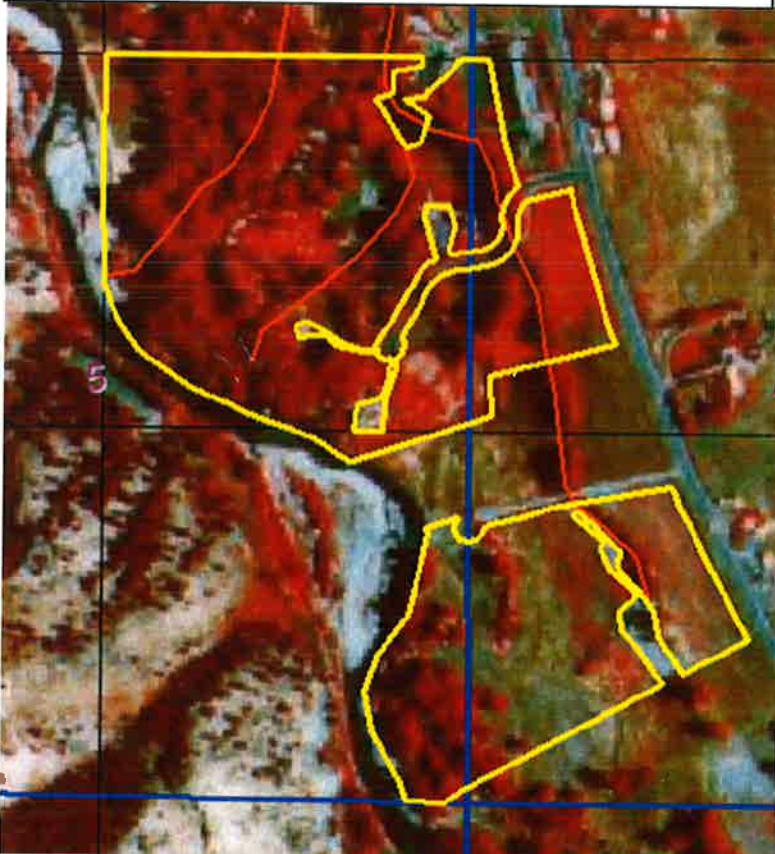
Dated Aug 26, 2010



THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

1987 aerial photo

2N, 18E SECs 4 AND 5



2006 aerial photo

Bruce Willis Pond



Add		Edit		Copy Selected PLS			Calculate Total Acres		Irrigation From Storage		Irrigation	
Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use	P...	Large Pt		
02N	18E	4	NW	SW	BLAINE		7.2	IRRIGATION	73...	No		
02N	18E	4	SW	SW	BLAINE		15	IRRIGATION	73...	No		
02N	18E	5	NE	SE	BLAINE		35	IRRIGATION	73...	No		
02N	18E	5	SE	SE	BLAINE		6.5	IRRIGATION	73...	No		

10/27/2010

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

RIGHT NUMBER: 37-11828

NAME AND ADDRESS: FLYING HEART RANCH II SUBDIVISION OWNERS ASSN
C/O FRITZ HAEMMERLE
400 S MAIN ST
HAILEY ID 83333

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 11.20 AFY

PRIORITY DATE: 05/15/1884

POINT OF
DIVERSION:

T02N R18E S5 NENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION STORAGE	01/01 12/31	11.20 AFY
AESTHETIC STORAGE	01/01 12/31	11.20 AFY

PLACE OF USE: RECREATION STORAGE in BLAINE County

T02N R18E S05 Lot 1 NENE

T02N R18E S05 Lot 2 NWNE

AESTHETIC STORAGE in BLAINE County

T02N R18E S05 Lot 1 NENE

T02N R18E S05 Lot 2 NWNE

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

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. 37-11828

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Flying Heart Ranch II Subdivision Owners Assn:

Address: P.O. Box 1800

Hailey, ID 83333

Daytime Phone: 578-0520

Name & Address of Attorney, if any:

Fritz X. Haemmerle

P.O. Box 1800

Hailey, ID 83333

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

Name: (see above)

Address:

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

1. ☐ **Name and Address:**
2. ☒ **Source:**
3. ☐ **Quantity:** Should reflect quality as claimed, 10 cfs., in addition to 11.2 AFA
4. ☐ **Priority Date**
5. ☐ **Point of Diversion:** Should reflect points of diversion as claimed:
Big Wood River: NENE, Sec. 5, TN 2N, R. 18E, BLAINE COUNTY
NWNE, Sec. 5, TN 2N, R. 18E, BLAINE COUNTY
SWSE, Sec. 5, TN 3N, R. 18E, BLAINE COUNTY
6. ☐ **Instream Flow Beginning and Ending Point**
7. ☐ **Purpose(s) of Use**
8. ☐ **Period of Year**
9. ☐ **Place of Use**
10. ☐ I object because:

☐ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S): Recommendation does not reflect actual and historical beneficial use.

F.

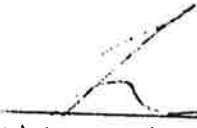
VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Blaine)

Fritz X. Haemmerle, 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.

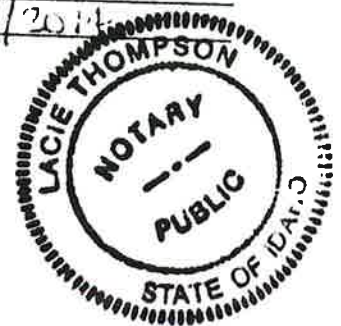
(Signature of person filing objection)



(Attorney signing in representative capacity)

Subscribed and sworn to before me on: December 13, 2010

Lacie Thompson
Notary Public for Idaho
Residing at: Bellevue, ID
My Commission Expires: 1/28/2014



37-7767 & 37-11828 Flying Heart system review

The current system as I understand it. There are several springs in Sec 32 SWSE and Sec 5 NWNE naturally flowing into a common unnamed stream eventually reaching the ice pond that is split by the quarter/quarter line in Sec 5 N½NE¼. The discharge from that pond flows south into what is currently known as the Willis pond in Sec 5 SENE and eventually to the River Grove Ranch Subdivision for other rights and uses. Historically there was a diversion from the Big Wood River through the Mc Bryan ditch to the unnamed stream and ultimately to the ice pond. This diversion no longer exists and based upon currently available information is considered to be forfeited for non use for many many years.

The first diversion on this unnamed stream system is the ice pond which is an on-stream diversion.

Decreed right 37-555 (claimed as 37-11828) copy of the decree as figure 2

The decree specifically identifies two different uses, one being an ice-pond and the other being a fish pond. As the uses are differentiated it is reasonable to assume that the two uses are somewhat different than the other even if they are for the same pond.

The ice-pond is a consumptive use (ice is hauled off, therefore virtually 100% consumptive), limited specifically to the winter months, and specifically not interfering with other irrigation uses.

The fish pond use is not as well defined in the decree. A non-consumptive use is suggested by referencing that the water running through the pond eventually reaches the Big Wood River. The water running through the pond would have been the natural stream flow and possibly Big Wood River water diverted through the Mc Bryan ditch. Although not specifically stated, I would argue that the unnamed stream is inferred as a source. NO rate of flow or pond volume was identified in the Frost decree.

37-11828

The claim is for recreation and aesthetic storage year round for 11.2 afy and diversion to storage of 10.00 cfs.

The claim is asserting an accomplished transfer for;

1. The nature of use



2. Point of diversion
3. Season of use

Although not stated, a change in source is implied.

Recommendation analysis;

The claim is for a portion of the decreed right. The consumptive use for ice production is not being claimed. The claimed uses fall within the fish-pond use as analyzed above. Although the claim suggests that there were several accomplished transfers (changes in use) it appears to me that storage components fall within the decreed parameters of the decree. The claimed source was the Big Wood River but the current system (and arguably the decree) is actually an unnamed stream.

The claim states that there was a change in POD. As the historic pond and the current pond are one and the same, the current and historic pond dike would be the same POD. The Big Wood River diversion has been forfeited rather than being changed.

The claimed uses of recreation and aesthetics are compatible with the decreed use of a fish-pond. Therefore I am not recognizing a change in nature of use.

As to the season of use change, as discussed in the decree analysis, it appears to me to be reasonable that the fish-pond use was year round therefore no change in season of use.

The amended director's report submitted in Oct of 2010 recognized that the point of diversion is the point where the pond dike crosses the unnamed stream that is being fed by the springs. As this is an on-stream storage system no diversion to storage was recognized. The recommended pond volume is based upon values supplied by the claimant.

Figure 2

Copied from the Frost Decree (scanned document Pg 28)



Copied from the Frost Decree (scanned document Pg 126)

6. That A. M. Purdum and his predecessors in interest, since the _____ day of _____, in the year _____, have used a certain amount of water, flowing in and through the McBryan ditch, having its source in Big Wood River, near Hailey, Idaho, sufficient to fill a certain ice-pond of which he is the owner, and to maintain a uniform depth of water therein, between the first day of December and the first day of April of the following year, of each Winter season, for the purpose of making and harvesting ice; and such use of the said water does not interfere in any manner with the use thereof by any person for irrigating or other purposes; and that the said A. M. Purdum, for many years last past, has used a sufficient amount of water to maintain a certain fish-pond situated upon his said lands, returning the water which runs through the same into the channel of Big Wood River.

37-7767 was a license approved March 3 1993. The license was issued for 10 cfs for year-round recreation. The source was identified as springs leading to the ice-pond. The field examination identified the spring heads as identified in figure 1 and the two ponds as the POU. As the ponds are 'on stream' no diversion to storage was licensed.

The licensed POD was identified as being in Sec 32 SWSE but it appears that no diversion works exist for this system until the dikes for the ponds. As the license was issued after commencement of the SRBA, any changes to correct the license would have to go through allocations.

If recommended the right probably should be split as each pond is owned by separate entities.

Ultimately, I believe that the recommendation for 37-11828 includes 37-7767 except for the Willis pond as the license for 37-7767 was poorly structured.

10/27/2010

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

RIGHT NUMBER: 37-11828

NAME AND ADDRESS: FLYING HEART RANCH II SUBDIVISION OWNERS ASSN
C/O FRITZ HAEMMERLE
400 S MAIN ST
HAILEY ID 83333

ADR
objection filed

SOURCE: ~~BIG WOOD RIVER~~ *unnamed st. chg*

TRIBUTARY: MALAD RIVER

QUANTITY: 11.20 AFY

PRIORITY DATE: 05/15/1884

POINT OF
DIVERSION:

OK
T02N R18E S5 NENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION STORAGE	01/01 12/31	11.20 AFY <i>OK</i>
AESTHETIC STORAGE	01/01 12/31	11.20 AFY <i>OK</i>

PLACE OF USE: RECREATION STORAGE in BLAINE County

T02N R18E S05 Lot 1 NENE *OK*

T02N R18E S05 Lot 2 NWNE *OK*

AESTHETIC STORAGE in BLAINE County

T02N R18E S05 Lot 1 NENE *OK*

T02N R18E S05 Lot 2 NWNE *OK*

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

ORIGINAL

LODGED

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

DEC 15 2010

By

Clerk
Deputy

**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

A. 37-11828

(Insert water right number)

Case No. 39576

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Flying Heart Ranch II Subdivision Owners Assn:

Address: P.O. Box 1800

Hailey, ID 83333

Daytime Phone: 578-0520

Name & Address of Attorney, if any:

Fritz X. Haemmerle

P.O. Box 1800

Hailey, ID 83333

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

Name: (see above)

Address:

all
SCANNED
APR 14 2022

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

1. ☐ **Name and Address:**
2. ☒ **X Source:**
3. ☐ **Quantity: Should reflect quality as claimed, 10 cfs., in addition to 11.2 AFA**
4. ☐ **Priority Date**
5. ☐ **Point of Diversion: Should reflect points of diversion as claimed:**

**Big Wood River: NENE, Sec. 5, TN 2N, R. 18E, BLAINE COUNTY
NWNE, Sec. 5, TN 2N, R. 18E, BLAINE COUNTY
SWSE, Sec. 5, TN 3N, R. 18E, BLAINE COUNTY**

6. ☐ **Instream Flow Beginning and Ending Point**

7. ☐ **Purpose(s) of Use**

8. ☐ **Period of Year**

9. ☐ **Place of Use**

10. ☐ **I object because:**

☐ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S): Recommendation does not reflect actual and historical beneficial use.

RECEIVED

JUL 19 2010

DEPARTMENT OF
WATER RESOURCESIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FORM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

Date Received

Receipt Number

37-11828

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Flying Heart Ranch II Subdivisions Association Phone (208) 578-0520
Mailing Address c/o Fritz X. Haemmerle, 400 South Main St., Hailey, ID Zip 83333
2. Date of Priority (Only one (1) per claim) 5-15-1884
3. Source of water supply (a) Big Wood River
which is tributary to (b) Malad River
4. a. Location of existing point of diversion is: Township 2N Range 18E Section 5,
1/4 of NW 1/4 of NE 1/4, Govt. Lot, B.M., County of Blaine
Additional points of diversion if any: NENE Sec. 5, T. 2 N., R. 18 E.; SWSE Sec. 32, T. 3 N., R. 18 E.
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed
and as enlarged and the depth of each well. Pond impoundment

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Recreation Storage purposes from 1/1 to 12/31 amount or 11.2

For Aesthetic Storage purposes from 1/1 to 12/31 amount or 11.2

For Diversion to Storage purposes from 1/1 to 12/31 amount 10.0 or

For purposes from to amount or

7. Total quantity claimed (a) (cfs) and / or (b) (acre feet)

8. Total consumptive use claimed is acre feet per annum.

9. Non-irrigation uses; described fully (e.g. Domestic: list number of households served; Stockwater: type and number of livestock, etc.) Recreation and aesthetic use in pond

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	18E	5	Rec	Rec															
2N	18E	5	Aes	Aes															

Total number of acres irrigated

11. In which county (ies) are lands listed above as place of use located? Blaine

12. Do you own the property listed above as place of use? Yes No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

37-7767

Or None ☐

14. Remarks:

Claim is based on right 37-555 decreed to A. M. Purdum in Frost vs. Alturas Water Company. No priority date is given in Frost. Claimed priority is date of earliest irrigation right decreed to Purdum. Pond has a maximum surface area of 2.8 acres and an estimated average depth of 4 feet. Claim asserts an accomplished transfer of the nature of use, point of diversion, and season of use. Claim is appurtenant to the upper Flying Heart Pond. Pond is an onstream pond and therefore diversion to storage component may not be necessary. All possible points of diversion are included on the claim since IDWR has recommended these type of rights in various manners.

Last Name Ident. No.

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X

If applicable provide IDWR Water Right Number 37-555

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant S. C. Frost vs. Alturas Water Company

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am attorney in fact
Of Thy West Ranch Owners Assn. that I have signed the foregoing
Organization

Document in the space below as _____ of _____
Title Organization

And that the statements contained in the foregoing document are true and correct.

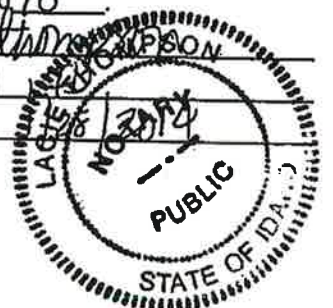
Signature of Authorized Agent [Signature]
Title and Organization attn Date 7/15/10

State of Idaho / or _____)
County of Blaine) ss.

Subscribed and sworn (or affirmed) before me this 15th day of July, 2010

Notary Public Laurie Thompson
Residing at Harley
My Commission Expires 12/15/2014

SEAL



Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

0536	Peck, Warren J.	120 inches.	209	Apr. 15, 1894.	Big Wood River.
0537	Peterlin, Charles	"	"	May 15, 1882.	" " "
0538	"	"	"	May 15, 1891.	" " "
0539	Peters, Lyman	"	78	June 5, 1884.	East Fork of Big Wood River.
0540	Peterson, Nels	160	194	June 10, 1892.	Soldier Creek. ✓
0541	"	80	232	May 5, 1900.	" "
0542	Pettigrew, Joseph M.	100	45	Apr. 15, 1886.	Little Wood River. 136
0543	Pettigrew, L. L.	240	223	Aug. 2, 1909.	Big Wood River.
0544	Phillips, Mary	155	40	Apr. 15, 1883.	" " "
0545	Phillips, A. S.	100	127	Dec. 1, 1886.	Shares in Little Wood River Canal Company.
0546	Phillips, Clarence	"	"	"	Little Wood River. (Also shares in Little Wood River Canal Co.)
0547	"	"	"	"	Shares in Little Wood River Canal Company.
0548	"	"	44	May 26, 1885.	Little Wood River. (Also shares in Little Wood River Canal Co.)
0549	"	"	"	June 1, 1880.	Warm Springs Creek, near Halley.
0550	Phippa, Wiley W.	200 inches.	41	June 30, 1882.	Croy Creek.
0551	"	"	31	May 18, 1907.	Three Mile Creek or Four Mile Creek.
0552	Poling, Eunice	120	307	July 28, 1906.	Big Wood River.
0553	Pothier, Estate and Pothier, Fred. and Louise	"	"	"	"
0554	Potter, William	"	44	Apr. 1, 1903.	Big Wood River.
0555	Potter, W. M.	"	22	June 1, 1884.	Trail Creek.
0556	Potter, John, and John Kover	"	"	"	(See Korenko, John, and John Pugel.)
0557	Purdum, A. M.	(see pond.)	"	"	Big Wood River.
0558	"	(see pond.)	"	"	"
0559	Purdum, A. M.	(see pond.)	"	"	Little Wood River.

Shoshone Light &
Water Company

3000 inches.

Nov. 6, 1903. Little Wood River.

6. That A. M. Purdum and his predecessors in interest, since the day of _____, in the year _____, have used a certain amount of water, flowing in and through the McBryan ditch, having its source in Big Wood River, near Hailey, Idaho, sufficient to fill a certain ice-pond of which he is the owner, and to maintain a uniform depth of water therein, between the first day of December and the first day of April of the following year, of each Winter season, for the purpose of making and harvesting ice; and such use of the said water does not interfere in any manner with the use thereof by any person for irrigating or other purposes; and that the said A. M. Purdum, for many years last past, has used a sufficient amount of water to maintain a certain fish-pond situated upon his said lands, returning the water which runs through the same into the channel of Big Wood River.

7. That Purdum & Purdum, of Shoshone, Idaho, are partners, under the name of Purdum & Purdum; that they and their predecessors in interest, since the first day of December, 1885, have used a certain amount of water flowing in and through the channel of the Little Wood River, at a point on the surface of Little Wood River in the North-East Quarter of the North-East Quarter of Section 2, Township 6 South, Range 17 East, and about 700 feet Northeasterly of the Oregon Short Line pumping-station, and continuing up said Little Wood River in a Northeasterly direction for 2500 feet, and extending into Sections 35 and 36, Township 5 South, Range 17 East, between the first day of December in each year and the first day of April of the succeeding year, a sufficient amount of water to cut and harvest 2000 tons of ice; and such use of said waters has not and does not interfere in any manner with the right to the use thereof on the part of any other claimant thereto.

8. That certain of the claimants to the right to the use of the waters of the Maind or Big Wood River and its tributaries, have at various

titled to have the waters of said dry streams continue to flow down to where their channels unite with the streams into which they empty, when any water is discharged therein from such dry streams.

3. That the various parties, plaintiffs and defendants, in the actions in which decrees were entered and filed, as set forth in the said Findings, and their successors in interest, are entitled to the use of the waters so awarded in the said decrees.

4. That A. M. Purdum is entitled to the use of a sufficient amount of water to supply his ice-pond and his fish-pond, described in the Findings and in the pleadings in this action, the water for such ice-pond to be used each season between the first day of December and the first day of the following April, only.

5. That Purdum & Purdum are entitled to the use of a sufficient amount of water to make their supply of ice, in the channel of Little Wood River, described in the said Findings, such use of the water to be confined to the Winter season, between the first day of December and the first day of the following April, of each season.

6. That the defendants, Michael Brown, Sarah Brown, Mary Brown, and Catherine Sweet, are entitled to the use of 160 inches of the waters of Big Wood River, to date from the first day of August, 1884, for the irrigation of the W 1/2 of the SW 1/4 of Sec. 8, T. 1 N., R. 19 E., said water to be conveyed upon said land through the so-called Miller and Packard ditch.

7. That the defendants, R. F. Buller and Rosa B. Buller, are entitled to the exclusive use of the 400 inches of water developed by them from the said swamps described in the Findings.

8. That the defendants, Adam Island and Frederick W. Fator, are each entitled to the exclusive use of 160 inches of water of a continuous flow, so long as they maintain the dam in the channel extending from Silver Creek to the said sink-holes, so as to prevent the loss of water herein; that their respective rights to the use of said amount of water

JUN 04 1996

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: A37-11828
Date Received: 10/20/1988
Receipt No: S003082
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FLYING HEART RANCH OWNERS ASSN. 208-788-2461
Address: P.O. BOX 2163
HAILEY, ID 83333

2. Date of Priority: MAY 14, 1886

3. Source: UNNAMED SPRINGS Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	5	SW	NE	NE		BLAINE

5. Description of diverting works:
NATURAL STREAMS TO POND WITH NATURAL DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
RECREATION STORAGE	01/01	12/31			15.00
AESTHETIC STORAGE	01/01	12/31			15.00
FISH PROPAGATION	01/01	12/31	10.000		

7. Total Quantity Appropriated is:
10.000 C.F.S. (and/or) 15.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
RECREATION, AESTHETICS, AND FISHING.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	18E	5	NE	NE		REC S	

A37-11828

Page 1

Date: 10/20/88

COPY MICROFILMED
MAR 01 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02N	18E	5	NE		NE		AES S	
			NE		NE		FISH	
			NW		NE		REC S	
			NW		NE		AES S	
			NW		NE		FISH	
			SE		NE		AES S	
			SE		NE		REC S	
			SE		NE		FISH	

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:

A37-07767

14. Remarks:

RESEARCH HAS REVEALED THAT AN EARLIER PRIORITY DATE WAS ESTABLISHED FOR THESE USES AT THIS P/U. SEE WR #37-04420.

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 ☐ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

For Organizations:

I do solemnly swear or affirm that I am The attorney of
Flying Horse Ranch Owners Assn that I have signed the foregoing
document in the space below as The attorney of
FHROA and that the statements contained in the
foregoing document are true and correct.

Ronan L. Baller
Signature of Authorized Agent
Atty - FHROA
Title and Organization
10/20/88
Date

State of Idaho
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of October 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id
My Commission Expires 6-30-94

RECEIVED

NOV 15 2007

Department of Water Resources
Adjudication Bureau

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) A. 37-11828
) (Insert water right number)
Case No. 39576)
)
) STANDARD FORM 1
) OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Flying Heart Ranch II Subdivision Owners Assn., Inc.

Address: P.O. Box 2163

Hailey, ID 83340

Daytime Phone: _____

Name & Address of Attorney, if any:

Fritz X. Haemmerle

P.O. Box 1800

Hailey, ID 83333

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

Name: (see above)

Address:

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

1. **X Name and Address**

Should be: Flying Hear Ranch II Subdivision Owners Association, Inc., P.O. Box 2163, Hailey, ID 83333

2. **X Source**

Should be: Springs, Big Wood River

3. **X Quantity**

Should be: 10 cfs

4. **X Priority Date**

Should be: May 14, 1886

5. **X Point of Diversion:**

Should be: Spring SWNE, Sec. 5 T02N R18E, BLAINE COUNTY

6. ☐ **Instream Flow Beginning and Ending Point**

Should be:

7. **X Purpose(s) of Use**

Should be:

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
FISH PROPAGATION	1/01	12/31	10 CFS	
RECREATION STORAGE	1/01	12/31		15 AFA
AESTHETIC STORAGE	1/01	12/31		15 AFA
Total Diversion			10 CFS	

8. **X Period of Year**

Should be: (see above)

9. **X Place of Use**
Should be; all uses in:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
02N	18E	5		NENE			NWNE			SENE				

- 10 ☐ I object because:

☐ This water right Should not exist.

X This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S): The right as claimed reflects the water right's actual and historical beneficial use.

CLAIM TO A WATER RIGHT

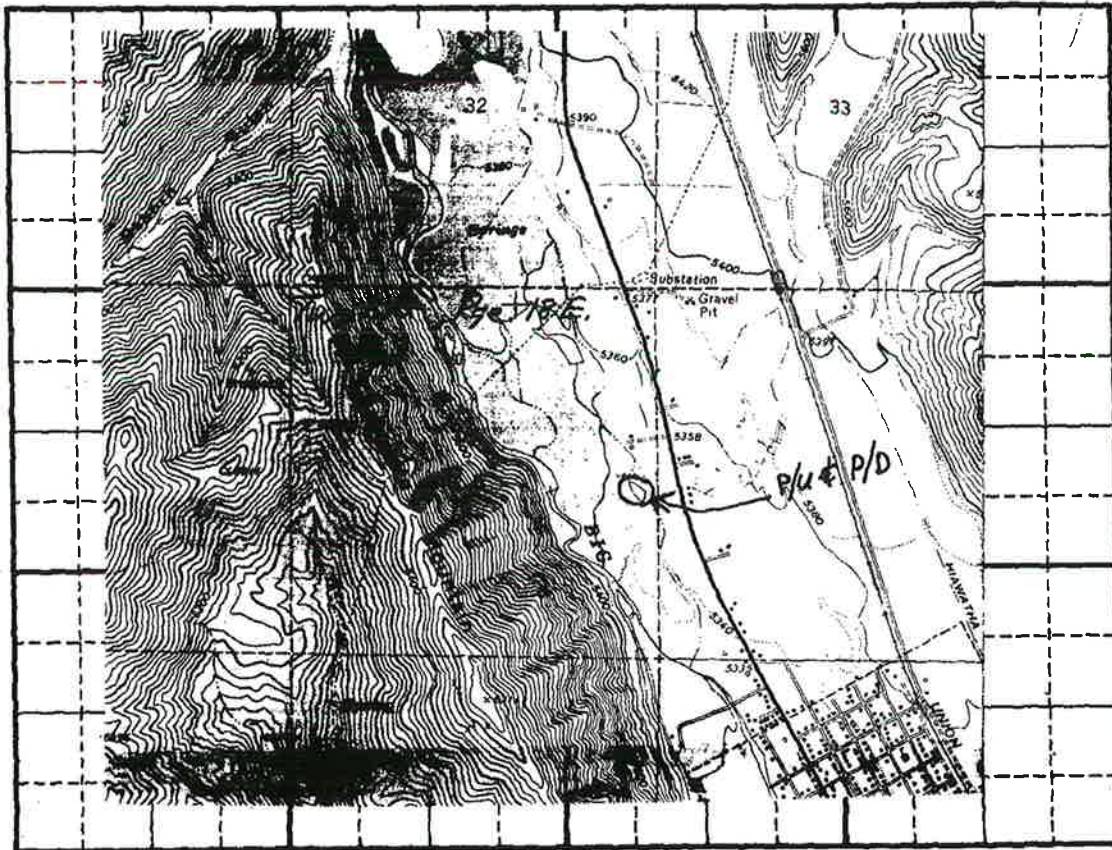
The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

(1) Date of priority: (When was the water first applied to a beneficial use) M2V - 14 - 1886

MICROFILMED

MICROFILMED

(8) Remarks The stream is fed by springs arising on Flying Heart Subdivision.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

County of Twin Falls) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Reiner George J. J. J.
Reiner George J. J. J.
(Claimant)

Sworn to before me this 22 day of May, 1985.

Loren O'Halloran
Notary Public
Residing at Twin Falls

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by ADA Date 5/22/85 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by ADA Date 5-28-85 claimant by: _____
200 ¹⁰ ~~620.00~~ fee received by ADA Date 5/22/85
Published in Wood River Journal
Dates 6/1 & 6/13/85

FROM
A Huras Vs Frost
decree

7 0536	Peck, Warren J.	120 inches.	209	Apr. 15, 1894.	Big Wood River.
7 0537	Peterlin, Charles.	20 "	21	May 15, 1882.	" " "
7 0538	"	180 "	186	May 15, 1891.	" " "
7 0539	Peters, Lyman	150 "	79	June 3, 1884.	East Fork of Big Wood River.
7 0540	Peterson, Nels	160 "	144	June 10, 1892.	Soldier Creek. ✓
7 0541	"	80 "	252	May 5, 1900.	" "
7 0542	Pettigrew, Joseph M.	100 "	415	Apr. 15, 1886.	Little Wood River. *836
7 0543	Pettijohn, L. L.	140 "	723	Aug. 2, 1909.	Big Wood River.
7 0544	Phillips, Mary	155 "	40	Apr. 15, 1883.	" " "
7 0545	Phippen, Almon				Shares in Little Wood River Canal Company.
7 0546	Phippen, A. S.	100 "	127	Dec. 1, 1886.	Little Wood River. (Also shares in Little Wood River Canal Co.)
7 0547	Phippen, Clarence				Shares in Little Wood River Canal Company.
7 0548	Phippen, Mary S.	100 "	44	May 26, 1885.	Little Wood River. (Also shares in Little Wood River Canal Co.)
7 0549	Plummer, J. J.	All of		June 1, 1880.	Warm Springs Creek, near Hailey.
7 0550	Phipps, Wiley W.	200 inches.	311	June 30, 1882.	Croy Creek.
7 0551	Poling, Susie	80 "	307	May 18, 1907.	Three Mile Creek or Four Mile Creek.
7 0552	Pothair Estate and Pothair, Fred. and Louise			July 28, 1906.	Big Wood River.
7 0553	Preis, William	160 "	241	Apr. 1, 1903.	(See Green, Miss Belle, Guardian.)
7 0554	Price, W. M.	15 "	78	June 1, 1884.	Big Wood River.
7 0555	Pugel, John, and John Korenko				Trail Creek.
7 0556	Purdum, A. M.	(Ice-pond.)			(See Korenko, John, and John Pugel.)
7 0557	"	(Fish-pond.)			Big Wood River.
7 0558	Purdum & Purdum	(Ice-pond.)			" " "

JUN 04 1896

Pc Doc Pg 28

FROM Atturas Vs Frost decree

Shoshone Light &
Water Company

3000 inches.

Nov. 6, 1903. Little Wood River.

37-555

Priority date not listed.

6. That A. M. Purdum and his predecessors in interest, since the _____ day of _____, in the year _____, have used a certain amount of water, flowing in and through the McBryan ditch, having its source in Big Wood River, near Hailey, Idaho, sufficient to fill a certain ice-pond of which he is the owner, and to maintain a uniform depth of water therein, between the first day of December and the first day of April of the following year, of each Winter season, for the purpose of making and harvesting ice; and such use of the said water does not interfere in any manner with the use thereof by any person for irrigating or other purposes; and that the said A. M. Purdum, for many years last past, has used a sufficient amount of water to maintain a certain fish-pond situated upon his said lands, returning the water which runs through the same into the channel of Big Wood River.

7. That Purdum & Purdum, of Shoshone, Idaho, are partners, under the name of Purdum & Purdum; that they and their predecessors in interest, since the first day of December, 1885, have used a certain amount of water flowing in and through the channel of the Little Wood River, at a point on the surface of Little Wood River in the North-East Quarter of the North-East Quarter of Section 2, Township 6 South, Range 17 East, and about 700 feet Northeasterly of the Oregon Short Line pumping-station, and continuing up said Little Wood River in a Northeasterly direction for 2500 feet, and extending into Sections 35 and 36, Township 5 South, Range 17 East, between the first day of December in each year and the first day of April of the succeeding year, a sufficient amount of water to cut and harvest 2000 tons of ice; and such use of said waters has not and does not interfere in any manner with the right to the use thereof on the part of any other claimant thereto.

8. That certain of the claimants to the right to the use of the waters of the Malad or Big Wood River and its tributaries, have at various

From Atturas vs Frost decree

titled to have the waters of said dry streams continue to flow down to where their channels unite with the streams into which they empty, when any water is discharged therein from such dry streams.

3. That the various parties, plaintiffs and defendants, in the actions in which decrees were entered and filed, as set forth in the said Findings, and their successors in interest, are entitled to the use of the waters so awarded in the said decrees.

4. That A. M. Purdum is entitled to the use of a sufficient amount of water to supply his ice-pond and his fish-pond, described in the Findings and in the pleadings in this action, the water for such ice-pond to be used each season between the first day of December and the first day of the following April, only.

5. That Purdum & Purdum are entitled to the use of a sufficient amount of water to make their supply of ice, in the channel of Little Wood River, described in the said Findings, such use of the water to be confined to the Winter season, between the first day of December and the first day of the following April, of each season.

6. That the defendants, Michael Brown, Sarah Brown, Mary Brown, and Catherine Sweet, are entitled to the use of 160 inches of the waters of Big Wood River, to date from the first day of August, 1884, for the irrigation of the W 1/2 of the SW 1/4 of Sec. 8, T. 1 N., R. 19 E., said water to be conveyed upon said land through the so-called Miller and Packard ditch.

7. That the defendants, R. F. Buller and Rosa B. Buller, are entitled to the exclusive use of the 400 inches of water developed by them from the said swamps described in the Findings.

8. That the defendants, Adam Ifland and Frederick W. Fator, are each entitled to the exclusive use of 160 inches of water of a continuous flow, so long as they maintain the dam in the channel extending from Silver Creek to the said sink-holes, so as to prevent the loss of water therein; that their respective rights to the use of said amount of water

JUN 04 1996

Poling, Susie	320 inches.	July 28, 1906.	Big Wood River.
Pothair Estate and Pothair, Fred. and Louise			(See Green, Miss Belle Guardian.)
Preis, William	160 "	Apr. 1, 1903.	Big Wood River.
Price, W. M.	15 "	June 1, 1884.	Trail Creek.
Pugel, John, and John Korenko			(See, Korenko, John, and John Pugel.)
Purdum, Rose L.	50 "	May 15, 1884.	Big Wood River.
" " "	100 "	June 1, 1886.	" " "
" " "	180 "	June 1, 1888.	" " "
Quong Sing	27 "	Nov. 28, 1882.	Little Wood River. (Also shares in Big Cottonwood Canal Co.)
Ranson, Sarah A.	65 "	May 2, 1884.	Little Wood River. (Also shares in Little Wood River Canal Co.)
Ravenscraft, J.W.	300 "	May 10, 1887.	Big Wood River.
Rawson, W. F.	60 "	May 30, 1881.	Little Wood River.
" " "	60 "	May 30, 1882.	" " "
" " "	All of		Dry Creek.
" " "			Shares in Little Wood River Canal Company.
Reardon, Daniel	90 inches.	July 30, 1883.	Rock Creek.
" "	80 "	July 30, 1883.	" "
" "	50 "	June 30, 1884.	" "
" "	40 "	June 1, 1886.	" "
Reedy, Mrs. Hannah H.	50 "	June 1, 1892.	Soldier Creek.
Reedy, Mrs. Joseph H.	145 "	July 2, 1883.	" "
" " " "	22 "	June 27, 1883.	" "
Rhodes, James M., Trustee.	250 "	May 30, 1894.	Warm Springs Creek.
Rice, C. T.	180 "	Nov. 2, 1885.	Big Wood River.
Richards, S. P.			Shares in Little Wood River Canal Company.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SNAKE RIVER BASIN ADJUDICATION CLAIM VERIFICATION REPORT

FIELD REPORT LOGCLAIM NUMBER: A37-11828

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT RECEIVED	COMPLETED REVIEW	COMPLETED DATA ENTRY
PRIORITY DATE	YES		SCC 5-21-90	
POINT OF DIV.				
SOURCE				
PLACE OF USE				
DIV. AMOUNT				
CONSUMPTIVE USE				
USES				
PERIOD OF USE				
BASIS OF CLAIM	↓	← should be Beneficial Use	↓	

REMARKS:

*Appears To Be Same As A37-07867

MAILED
MAR 01 1993

GENERAL INFORMATION

Claim number: A37-11828

LAST: FLYING HEART RANCH OWNERS ASSN.

FIRST: _____

ADDRESS: P.O. Box 2163

CITY: HAILEY

STATE: ID

ZIP: 83333

PHONE: (208) 788-2461

OWNER CODE: C

OWNER CONNECTOR: _____

LAST: _____

FIRST: _____

ADDRESS: _____

CITY: _____

STATE: _____

ZIP: _____

PHONE: (____) ____-____

OWNER CODE: _____

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____ PHONE NUMBER (____) ____-____

DATE OF FIELD EXAM: ____/____/____ APPOINTMENT MADE? Y(____) N(____), TIME: _____

ACCOMPANIED BY: _____ PHONE NUMBER (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS: _____

MAILED
MAR 01 1993

PRIORITY DATE REVIEW SHEET

A. SRBA CLAIM # A37-11828

PRIORITY DATE: 5/14/1886

STAGE 5

B. IDWR RECORD # -

PRIORITY DATE: / /

STAGE

C. REVIEW - FIELD EXAM NEEDED? Y() N()

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

REMARKS:

RECOMMENDED PRIORITY DATE: / /

REVIEWED BY _____ DATE _____

RECEIVED
MAR 01 1993

POINT OF DIVERSION AND SOURCE REVIEW SHEET

CLAIM # A37-11828

A. SRBA CLAIM POINT OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
<u>2N</u>	<u>18E</u>	<u>5</u>	<u>SW</u>	<u>NE</u>	<u>NE</u>	<u> </u>	<u>13</u>

SOURCE: UNNAMED SPRINGSTRIB: BIG WOOD RIVER

B. IDWR RECORD POINT OF DIVERSION RECORD AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

SOURCE: TRIB: C. REVIEW - FIELD EXAM NEEDED? Y(X) N()

		ATTACHED	OR	SEE FILE
VERIFIED	() TOPO MAP/ORTHO-PQ	YES() NO()		<u> </u>
WITH:	() ASCS MAP	YES() NO()		<u> </u>
	() WATERMASTER RECORDS	YES() NO()		<u> </u>
	() FIELD EXAM	YES() NO()		<u> </u>
	() OTHER <u> </u>	YES() NO()		<u> </u>

REMARKS:

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

SOURCE: TRIB: REVIEWED BY DATE

UNRECORDED
MAR 01 1993

PAGE 5.

PLACE OF USE REVIEW SHEET (IRRIGATION)

CLAIM # _____

FIELD EXAM REQUIRED: Y(☒) N(☐)

PRESUMPTION FLAG: Y(☐) N(☐)

ROOT WATER RIGHT NUMBERS _____

TWP	RGE	SEC	1/4	1/4	S.R.B.A. #/ACRES	I.D.W.R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
_____	_____	_____	_____	_____	_____/____	_____/____	_____	_____	_____
_____	_____	_____	_____	_____	_____/____	_____/____	_____	_____	_____
_____	_____	_____	_____	_____	_____/____	_____/____	_____	_____	_____
_____	_____	_____	_____	_____	_____/____	_____/____	_____	_____	_____
_____	_____	_____	_____	_____	_____/____	_____/____	_____	_____	_____
_____	_____	_____	_____	_____	_____/____	_____/____	_____	_____	_____
_____	_____	_____	_____	_____	_____/____	_____/____	_____	_____	_____
TOTAL ACRES					_____	_____	_____	_____	_____

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

REMARKS: _____

REVIEWED BY _____ DATE _____

RECORDED
MAR 01 1993

A. S.R.B.A CLAIMED USES:

	PURPOSES	MONTH/DAY	RATE
FOR	<u>RECREATION STORAGE</u>	FROM <u>1-1</u> TO <u>12-31</u>	<u>15.0</u> ~~CFS~~ AFA
FOR	<u>AESTHETIC STORAGE</u>	FROM <u>1-1</u> TO <u>12-31</u>	<u>15.0</u> ~~CFS~~ AFA
FOR	<u>FISH PROPAGATION</u>	FROM <u>1-1</u> TO <u>12-31</u>	<u>10.0</u> CFS

B. I.D.W.R. RECORDED USES:

	PURPOSES	MONTH/DAY	RATE
FOR	_____	FROM ____ TO ____	_____ CFS
FOR	_____	FROM ____ TO ____	_____ CFS
FOR	_____	FROM ____ TO ____	_____ CFS

PRESUMPTION FLAG: _____

PERIOD OF USE:

IS PERIOD OF USE WITHIN THE RECOMMENDED SEASON? Y() N()

RECOMMENDED AS CLAIMED? Y() N()

RECOMMEND TO IDWR STANDARDS OR OTHER? Y() N()

REMARKS:

=====

RECOMMENDED USES:

	PURPOSES	MONTH/DAY	RATE
FOR	_____	FROM ____ TO ____	_____ CFS
FOR	_____	FROM ____ TO ____	_____ CFS
FOR	_____	FROM ____ TO ____	_____ CFS

REVIEWED BY _____

DATE _____

=====

NOT RECORDED
MAR 01 1993

CLAIM # -

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N()

IF NO or IF STATUTORY CLAIM or BENEFICIAL USE field exam required.

IS FLOW MEASUREMENT REQUIRED? Y() N()

B. FLOW MEASUREMENTS

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS

C. ARE OTHER WATER RIGHTS USED? Y() N() If YES complete overlap review.

OTHER RIGHTS LISTED IN CLAIM: - - -

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1. IRRIGATION RATE.

ACRES _____ X 0.02 CFS/ACRE = _____ CFS.
(Taken from p/u review)

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

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

2. ANNUAL IRRIGATION CONSUMPTIVE USE & FIELD HEADGATE DIVERSION VOLUME.

ACRES X CONSUMPTIVE RATE FOR AREA A.F./ACRE =

TOTAL CONSUMPTIVE USE	ACRE FEET/ANNUM
1.00	1.00
2.00	2.00
3.00	3.00
4.00	4.00
5.00	5.00
6.00	6.00
7.00	7.00
8.00	8.00
9.00	9.00
10.00	10.00
11.00	11.00
12.00	12.00
13.00	13.00
14.00	14.00
15.00	15.00
16.00	16.00
17.00	17.00
18.00	18.00
19.00	19.00
20.00	20.00
21.00	21.00
22.00	22.00
23.00	23.00
24.00	24.00
25.00	25.00
26.00	26.00
27.00	27.00
28.00	28.00
29.00	29.00
30.00	30.00
31.00	31.00
32.00	32.00
33.00	33.00
34.00	34.00
35.00	35.00
36.00	36.00
37.00	37.00
38.00	38.00
39.00	39.00
40.00	40.00
41.00	41.00
42.00	42.00
43.00	43.00
44.00	44.00
45.00	45.00
46.00	46.00
47.00	47.00
48.00	48.00
49.00	49.00
50.00	50.00
51.00	51.00
52.00	52.00
53.00	53.00
54.00	54.00
55.00	55.00
56.00	56.00
57.00	57.00
58.00	58.00
59.00	59.00
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61.00	61.00
62.00	62.00
63.00	63.00
64.00	64.00
65.00	65.00
66.00	66.00
67.00	67.00
68.00	68.00
69.00	69.00
70.00	70.00
71.00	71.00
72.00	72.00
73.00	73.00
74.00	74.00
75.00	75.00
76.00	76.00
77.00	77.00
78.00	78.00
79.00	79.00
80.00	80.00
81.00	81.00
82.00	82.00
83.00	83.00
84.00	84.00
85.00	85.00
86.00	86.00
87.00	87.00
88.00	88.00
89.00	89.00
90.00	90.00
91.00	91.00
92.00	92.00
93.00	93.00
94.00	94.00
95.00	95.00
96.00	96.00
97.00	97.00
98.00	98.00
99.00	99.00
100.00	100.00

ACRES X FIELD APPLIC. RATE FOR AREA A.F./ACRE =

TOTAL FIELD APPLIC.	ACRE FEET/ANNUM
1000	1000
2000	2000
3000	3000
4000	4000
5000	5000
6000	6000
7000	7000
8000	8000
9000	9000
10000	10000
11000	11000
12000	12000
13000	13000
14000	14000
15000	15000
16000	16000
17000	17000
18000	18000
19000	19000
20000	20000
21000	21000
22000	22000
23000	23000
24000	24000
25000	25000
26000	26000
27000	27000
28000	28000
29000	29000
30000	30000
31000	31000
32000	32000
33000	33000
34000	34000
35000	35000
36000	36000
37000	37000
38000	38000
39000	39000
40000	40000
41000	41000
42000	42000
43000	43000
44000	44000
45000	45000
46000	46000
47000	47000
48000	48000
49000	49000
50000	50000
51000	51000
52000	52000
53000	53000
54000	54000
55000	55000
56000	56000
57000	57000
58000	58000
59000	59000
60000	60000
61000	61000
62000	62000
63000	63000
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65000	65000
66000	66000
67000	67000
68000	68000
69000	69000
70000	70000
71000	71000
72000	72000
73000	73000
74000	74000
75000	75000
76000	76000
77000	77000
78000	78000
79000	79000
80000	80000
81000	81000
82000	82000
83000	83000
84000	84000
85000	85000
86000	86000
87000	87000
88000	88000
89000	89000
90000	90000
91000	91000
92000	92000
93000	93000
94000	94000
95000	95000
96000	96000
97000	97000
98000	98000
99000	99000
100000	100000

E. RATE/VOLUME CALCULATIONS: (OTHER USES)

CONTACT OWNER? Y() N() SEE ATTACHED SHEET? Y() N()

RECOMMENDED DIVERSION RATE: CFS

RECOMMENDED CONSUMPTIVE USE: AF/ANNUM

RECOMMENDED FIELD HEADGATE APPLICATION: AF/ANNUM

REVIEWED BY : DATE

WATERBURY, CT

MAR 01 1993

CLAIM # -

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP	()	()
FORFEIT/ABANDON	()	()
EXCESSIVE AMOUNT	()	()

THIS SRBA CLAIM CFS/ACRE

OTHER SRBA CLAIMS CFS/ACRE

**Excessive water use form filed and ATTACHED? Y(E) N(E)

B. SPLIT WATER RIGHT REVIEW

ROOT RIGHT	#	-	SPLITS	#	-	CFS
		CFS		#	-	CFS
				#	-	CFS
				#	-	CFS
				#	-	CFS
					TOTAL	CFS

**Do the sum of the parts equal the whole? Y() N()

**IF NO is the written review sheet ATTACHED? Y() N()

REMARKS: _____

AUTHENTICATION:

SIGNATURE: _____ **DATE:** _____

NAME OF FIELD EXAMINER: TITLE:

100-443886-1

MAR 01 1993

Claim number: A37-11828

[illegible]

TOTAL NUMBER OF ACRES

REMARKS:

REVIEWED BY

DATE _____

MAR 01 1993

Water right number - A37-11828

Adj. flag translation: Adjudication Temporary Work Area

+ - - - - Remarks - - - - - +
RESEARCH HAS REVEALED THAT AN EARLIER PRIORITY DATE WAS ESTAB-
LISHED FOR THESE USES AT THIS P/U. SEE WR #37-04420.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields -

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 10/20/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S003082	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-		

R PROOF

CVR

MAPS

PHOTOS

MISC

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:46
06/02/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A37-11828

LAST: FLYING HEART RANCH OWNERS ASSN. FIRST:
ADDRESS: P.O. BOX 2163
CITY: HAILEY STATE: ID ZIP: 83333
PHONE NUMBER: 208-788-2461

OWNER CODE: C

FIELD EXAM REQUIRED? FIELD
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE EXAMINER
Y

CLAIM REMARKS: RESEARCH HAS REVEALED THAT AN EARLIER PRIORITY DATE WAS ESTAB-
LISHED FOR THESE USES AT THIS P/U. SEE WR #37-04420.

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 / REMARKS:

MICROFILMED
OCT 27 1994

A. AJ CLAIM: # A37-11828 PRIORITY DATE: 05-14-1886 STAGE: S

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N)	Y	

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

REMARKS: _____

=====

RECOMMENDED PRIORITY DATE:

____-____-____

REVIEWED BY _____ DATE _____

=====

MICROFILMED
OCT 27 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A37-11828	02N	18E	5	SW	NE	NE		BLAINE

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A37-11832	R37-07767
A37-07767	R37-11832

WR RECORDS IN SAME 40 ACRE TRACT

37-08429

SOURCE: UNNAMED SPRINGS

TRIB: BIG WOOD RIVER

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
Y

FIELD EXAMINER

REMARKS:

MICROFILMED
OCT 27 1994

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC. 1/4 1/4 1/4 LOT COUNTY

SOURCE:

TRIB:

REVIEWED BY:

DATE:

MICROFILMED
OCT 27 1994

A. ROOT WATER RIGHT NUMBERS: A37-11828
R37-11828

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
02N	18E	5	NE	NE		FLYING HEART RANCH OWNERS ASSNA37-11828	/	-	/		
						FLYING HEART RANCH II SUBDIVISA37-11832	/13.0	-	/		
						MURPHY , KINGSLEY H. A37-00557	/35.0	37-00557	/		
						PALMER , CHRISTOPHER A37-00558	/35.0	37-00558	/		
						MURPHY , KINGSLEY H. A37-00559	/35.0	37-00559	/		
						THRESHER , FRANK E. A37-11677	/	-	/		
						NIELSEN , JOEL PHILIP A37-12940	/	-	/		
						FLYING HEART RANCH OWNERS ASSNA37-07767	/	37-07767	/		
						LAWSON , EDWARD A. R37-00557	/35.0	-	/		
						PALMER , KELLY R. R37-00558	/35.0	-	/		
						MURPHY , KINGSLEY H. R37-00559	/35.0	-	/		
						FLYING HEART RANCH OWNERS ASSNR37-07767	/	-	/		
						THRESHER , FRANK E. R37-11677	/	-	/		
						FLYING HEART RANCH OWNERS ASSNR37-11828	/	-	/		
						FLYING HEART RANCH II SUBD. OWR37-11832	/13.0	-	/		
						NIELSEN , JOEL PHILIP R37-12940	/	-	/		
						FLYING HEART RANCH II SUBDIVIS		37-08429	/13.0		
02N	18E	5	NE	NE		FLYING HEART RANCH OWNERS ASSNA37-11828	/	-	/		
						FLYING HEART RANCH II SUBDIVISA37-11832	/13.0	-	/		
						MURPHY , KINGSLEY H. A37-00557	/35.0	37-00557	/		
						PALMER , CHRISTOPHER A37-00558	/35.0	37-00558	/		
						MURPHY , KINGSLEY H. A37-00559	/35.0	37-00559	/		
						THRESHER , FRANK E. A37-11677	/	-	/		
						NIELSEN , JOEL PHILIP A37-12940	/	-	/		
						FLYING HEART RANCH OWNERS ASSNA37-07767	/	37-07767	/		
						LAWSON , EDWARD A. R37-00557	/35.0	-	/		
						PALMER , KELLY R. R37-00558	/35.0	-	/		
						MURPHY , KINGSLEY H. R37-00559	/35.0	-	/		
						FLYING HEART RANCH OWNERS ASSNR37-07767	/	-	/		
						THRESHER , FRANK E. R37-11677	/	-	/		
						FLYING HEART RANCH OWNERS ASSNR37-11828	/	-	/		
						FLYING HEART RANCH II SUBD. OWR37-11832	/13.0	-	/		
						NIELSEN , JOEL PHILIP R37-12940	/	-	/		
						FLYING HEART RANCH II SUBDIVIS		37-08429	/13.0		
02N	18E	5	NE	NE		FLYING HEART RANCH OWNERS ASSNA37-11828	/	-	/		
						FLYING HEART RANCH II SUBDIVISA37-11832	/13.0	-	/		
						MURPHY , KINGSLEY H. A37-00557	/35.0	37-00557	/		
						PALMER , CHRISTOPHER A37-00558	/35.0	37-00558	/		
						MURPHY , KINGSLEY H. A37-00559	/35.0	37-00559	/		
						THRESHER , FRANK E. A37-11677	/	-	/		
						NIELSEN , JOEL PHILIP A37-12940	/	-	/		
						FLYING HEART RANCH OWNERS ASSNA37-07767	/	37-07767	/		
						LAWSON , EDWARD A. R37-00557	/35.0	-	/		
						PALMER , KELLY R. R37-00558	/35.0	-	/		
						MURPHY , KINGSLEY H. R37-00559	/35.0	-	/		

MICROFILMED
OCT 27 1994

	FLYING HEART RANCH OWNERS ASSNR	37-07767	/	-	/
	THRESHER , FRANK E.	R37-11677	/	-	/
	FLYING HEART RANCH OWNERS ASSNR	37-11828	/	-	/
	FLYING HEART RANCH II SUBD. OWR	37-11832	/13.0	-	/
	NIELSEN , JOEL PHILIP	R37-12940	/	-	/
	FLYING HEART RANCH II SUBDIVIS			37-08429	/13.0

02N 18E 5 NW NE	FLYING HEART RANCH OWNERS ASSNA	37-11828	/	-	/
	FLYING HEART RANCH II SUBDIVISA	37-11832	/ 1.0	-	/
	MURPHY , KINGSLEY H.	A37-00557	/35.0	37-00557	/
	PALMER , CHRISTOPHER	A37-00558	/35.0	37-00558	/
	MURPHY , KINGSLEY H.	A37-00559	/35.0	37-00559	/
	STURDIVANT , PETER L.	A37-13001	/	-	/
	BRANDENBURGER , DON L.	A37-12544	/	-	/
	FLYING HEART RANCH OWNERS ASSNA	37-07767	/	37-07767	/
	LAWSON , EDWARD A.	A37-11574	/	-	/
	LAWSON , EDWARD A.	R37-00557	/35.0	-	/
	PALMER , KELLY R.	R37-00558	/35.0	-	/
	MURPHY , KINGSLEY H.	R37-00559	/35.0	-	/
	FLYING HEART RANCH OWNERS ASSNR	37-07767	/	-	/
	LAWSON , EDWARD A.	R37-11574	/	-	/
	FLYING HEART RANCH OWNERS ASSNR	37-11828	/	-	/
	FLYING HEART RANCH II SUBD. OWR	37-11832	/ 1.0	-	/
	BRANDENBURGER , DON L.	R37-12544	/	-	/
	STURDIVANT , PETER L.	R37-13001	/	-	/
	FLYING HEART RANCH II SUBDIVIS			37-08429	/ 1.0
	STURDIVANT , PETER L.			37-08502	/ 3.0
	LAWSON , MRS. EDWARD A.			37-08461	/ 3.0

02N 18E 5 NW NE	FLYING HEART RANCH OWNERS ASSNA	37-11828	/	-	/
	FLYING HEART RANCH II SUBDIVISA	37-11832	/ 1.0	-	/
	MURPHY , KINGSLEY H.	A37-00557	/35.0	37-00557	/
	PALMER , CHRISTOPHER	A37-00558	/35.0	37-00558	/
	MURPHY , KINGSLEY H.	A37-00559	/35.0	37-00559	/
	STURDIVANT , PETER L.	A37-13001	/	-	/
	BRANDENBURGER , DON L.	A37-12544	/	-	/
	FLYING HEART RANCH OWNERS ASSNA	37-07767	/	37-07767	/
	LAWSON , EDWARD A.	A37-11574	/	-	/
	LAWSON , EDWARD A.	R37-00557	/35.0	-	/
	PALMER , KELLY R.	R37-00558	/35.0	-	/
	MURPHY , KINGSLEY H.	R37-00559	/35.0	-	/
	FLYING HEART RANCH OWNERS ASSNR	37-07767	/	-	/
	LAWSON , EDWARD A.	R37-11574	/	-	/
	FLYING HEART RANCH OWNERS ASSNR	37-11828	/	-	/
	FLYING HEART RANCH II SUBD. OWR	37-11832	/ 1.0	-	/
	BRANDENBURGER , DON L.	R37-12544	/	-	/
	STURDIVANT , PETER L.	R37-13001	/	-	/
	FLYING HEART RANCH II SUBDIVIS			37-08429	/ 1.0
	STURDIVANT , PETER L.			37-08502	/ 3.0
	LAWSON , MRS. EDWARD A.			37-08461	/ 3.0

02N 18E 5 NW NE	FLYING HEART RANCH OWNERS ASSNA	37-11828	/	-	/
	FLYING HEART RANCH II SUBDIVISA	37-11832	/ 1.0	-	/
	MURPHY , KINGSLEY H.	A37-00557	/35.0	37-00557	/
	PALMER , CHRISTOPHER	A37-00558	/35.0	37-00558	/
	MURPHY , KINGSLEY H.	A37-00559	/35.0	37-00559	/
	STURDIVANT , PETER L.	A37-13001	/	-	/
	BRANDENBURGER , DON L.	A37-12544	/	-	/
	FLYING HEART RANCH OWNERS ASSNA	37-07767	/	37-07767	/

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LAWSON , EDWARD A.	A37-11574	/	-	/
LAWSON , EDWARD A.	R37-00557	/35.0	-	/
PALMER , KELLY R.	R37-00558	/35.0	-	/
MURPHY , KINGSLEY H.	R37-00559	/35.0	-	/
FLYING HEART RANCH OWNERS ASSNR	37-07767	/	-	/
LAWSON , EDWARD A.	R37-11574	/	-	/
FLYING HEART RANCH OWNERS ASSNR	37-11828	/	-	/
FLYING HEART RANCH II SUBD. OWR	37-11832	/ 1.0	-	/
BRANDENBURGER , DON L.	R37-12544	/	-	/
STURDIVANT , PETER L.	R37-13001	/	-	/
FLYING HEART RANCH II SUBDIVIS			37-08429	/ 1.0
STURDIVANT , PETER L.			37-08502	/ 3.0
LAWSON , MRS. EDWARD A.			37-08461	/ 3.0

02N 18E 5 SE NE	FLYING HEART RANCH OWNERS ASSNA	37-11828	/	-	/
	FLYING HEART RANCH II SUBDIVISA	37-11832	/ 5.0	-	/
	PETER TRUST, JEROME D. MACK, TA	37-12353	/	-	/
	MURPHY , KINGSLEY H.	A37-00557	/35.0	37-00557	/
	PALMER , CHRISTOPHER	A37-00558	/35.0	37-00558	/
	MURPHY , KINGSLEY H.	A37-00559	/35.0	37-00559	/
	FLYING HEART RANCH OWNERS ASSNA	37-07767	/	37-07767	/
	LAWSON , EDWARD A.	R37-00557	/35.0	-	/
	PALMER , KELLY R.	R37-00558	/35.0	-	/
	MURPHY , KINGSLEY H.	R37-00559	/35.0	-	/
	FLYING HEART RANCH OWNERS ASSNR	37-07767	/	-	/
	FLYING HEART RANCH OWNERS ASSNR	37-11828	/	-	/
	FLYING HEART RANCH II SUBD. OWR	37-11832	/ 5.0	-	/
	PETER TRUST	R37-12353	/	-	/
	PETER TRUST			37-08444	/ 2.5
	MACK, TRUSTEE , JEROME D.			37-08446	/ 2.5
	THOMAS , E. PARRY			37-08102	/ 3.0
	FLYING HEART RANCH II SUBDIVIS			37-08429	/ 5.0
	PETER TRUST			37-08561	/ 3.0
	FLYING HEART RANCH II			L37-07767	/

02N 18E 5 SE NE	FLYING HEART RANCH OWNERS ASSNA	37-11828	/	-	/
	FLYING HEART RANCH II SUBDIVISA	37-11832	/ 5.0	-	/
	PETER TRUST, JEROME D. MACK, TA	37-12353	/	-	/
	MURPHY , KINGSLEY H.	A37-00557	/35.0	37-00557	/
	PALMER , CHRISTOPHER	A37-00558	/35.0	37-00558	/
	MURPHY , KINGSLEY H.	A37-00559	/35.0	37-00559	/
	FLYING HEART RANCH OWNERS ASSNA	37-07767	/	37-07767	/
	LAWSON , EDWARD A.	R37-00557	/35.0	-	/
	PALMER , KELLY R.	R37-00558	/35.0	-	/
	MURPHY , KINGSLEY H.	R37-00559	/35.0	-	/
	FLYING HEART RANCH OWNERS ASSNR	37-07767	/	-	/
	FLYING HEART RANCH OWNERS ASSNR	37-11828	/	-	/
	FLYING HEART RANCH II SUBD. OWR	37-11832	/ 5.0	-	/
	PETER TRUST	R37-12353	/	-	/
	PETER TRUST			37-08444	/ 2.5
	MACK, TRUSTEE , JEROME D.			37-08446	/ 2.5
	THOMAS , E. PARRY			37-08102	/ 3.0
	FLYING HEART RANCH II SUBDIVIS			37-08429	/ 5.0
	PETER TRUST			37-08561	/ 3.0
	FLYING HEART RANCH II			L37-07767	/

02N 18E 5 SE NE	FLYING HEART RANCH OWNERS ASSNA	37-11828	/	-	/
	FLYING HEART RANCH II SUBDIVISA	37-11832	/ 5.0	-	/
	PETER TRUST, JEROME D. MACK, TA	37-12353	/	-	/

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TOTAL ACRES	A37-11828
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C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
 Y

FIELD
EXAMINER

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY:

DATE:

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A. AJ CLAIMED USES:

	PURPOSES	FROM	MONTH/DAY	TO	DIVERSION QUANTITY
A37-11828	RECREATION STORAGE	01-01	12-31		15.00 AF/A
A37-11828	AESTHETIC STORAGE	01-01	12-31		15.00 AF/A
A37-11828	FISH PROPAGATION	01-01	12-31		10.000 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED					15.00 AF/A

B. WR RECORDED USES:

	PURPOSES	FROM	MONTH/DAY	TO	DIVERSION QUANTITY
37-08254	AESTHETIC	01-01	12-31		10.000 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED					1.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(____) N(____)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(____) N(____) Explain in remarks, below.

REMARKS:

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 10.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED? FIELD
DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) DATABASE EXAMINER
Y

B. FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A37-07767

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A37-11832	GROUNDWATER	FLYING HEART RANCH II SUBDIVIS	1.180	0.059		
R37-00557	BIG WOOD RIVER	LAWSON , EDWARD A.	1.000	0.005		
R37-00558	BIG WOOD RIVER	PALMER , KELLY R.	2.000	0.010		
R37-00559	BIG WOOD RIVER	MURPHY , KINGSLEY H.	3.600	0.018		
R37-11832	GROUNDWATER	FLYING HEART RANCH II SUBD. OW	1.180	0.059		
A37-11574	GROUNDWATER	LAWSON , EDWARD A.	0.110	0.036		
R37-11574	GROUNDWATER	LAWSON , EDWARD A.	0.110	0.036		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A37-11828	RECREATION STORAGE	FLYING HEART RANCH OWNERS ASSN	FROM 01-01 TO 12-31		15.00 AF/A
A37-11828	AESTHETIC STORAGE	FLYING HEART RANCH OWNERS ASSN	FROM 01-01 TO 12-31		15.00 AF/A
A37-11828	FISH PROPAGATION	FLYING HEART RANCH OWNERS ASSN	FROM 01-01 TO 12-31	10.000 CFS	.00 AF/A
A37-11832	DOMESTIC	FLYING HEART RANCH II SUBDIVIS	FROM 01-01 TO 12-31	.190 CFS	
A37-11832	FIRE PROTECTION	FLYING HEART RANCH II SUBDIVIS	FROM 01-01 TO 12-31	1.180 CFS	
A37-11677	DOMESTIC	THRESHER , FRANK E.	FROM 01-01 TO 12-31	.040 CFS	
A37-12940	DOMESTIC	NIELSEN , JOEL PHILIP	FROM 01-01 TO 12-31	.040 CFS	
A37-07767	RECREATION	FLYING HEART RANCH OWNERS ASSN	FROM 01-01 TO 12-31	10.000 CFS	
A37-07767	AESTHETIC STORAGE	FLYING HEART RANCH OWNERS ASSN	FROM 01-01 TO 12-31		
A37-07767	FISH PROPAGATION	FLYING HEART RANCH OWNERS ASSN	FROM 01-01 TO 12-31	10.000 CFS	
R37-07767	RECREATION	FLYING HEART RANCH OWNERS ASSN	FROM 01-01 TO 12-31	10.000 CFS	

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R37-07767	AESTHETIC STORAGE	FLYING HEART RANCH OWNERS ASSNFROM	01-01	TO 12-31		18.00 AF/A
R37-07767	FISH PROPAGATION	FLYING HEART RANCH OWNERS ASSNFROM	01-01	TO 12-31	10.000 CFS	
R37-11677	DOMESTIC	THRESHER, FRANK E. FROM	01-01	TO 12-31	.040 CFS	
R37-11828	RECREATION STORAGE	FLYING HEART RANCH OWNERS ASSNFROM	01-01	TO 12-31		15.00 AF/A
R37-11828	AESTHETIC STORAGE	FLYING HEART RANCH OWNERS ASSNFROM	01-01	TO 12-31		15.00 AF/A
R37-11828	FISH PROPAGATION	FLYING HEART RANCH OWNERS ASSNFROM	01-01	TO 12-31	10.000 CFS	
R37-11832	DOMESTIC	FLYING HEART RANCH II SUBD. OWFROM	01-01	TO 12-31	.190 CFS	
R37-11832	FIRE PROTECTION	FLYING HEART RANCH II SUBD. OWFROM	01-01	TO 12-31	1.180 CFS	
R37-12940	DOMESTIC	NIELSEN, JOEL PHILIP FROM	01-01	TO 12-31	.040 CFS	
A37-13001	DOMESTIC	STURDIVANT, PETER L. FROM	01-01	TO 12-31	.040 CFS	
A37-12544	DOMESTIC	BRANDENBURGER, DON L. FROM	01-01	TO 12-31	.040 CFS	
A37-11574	DOMESTIC	LAWSON, EDWARD A. FROM	01-01	TO 12-31	.040 CFS	
A37-11574	FIRE PROTECTION	LAWSON, EDWARD A. FROM	01-01	TO 12-31	.110 CFS	
A37-11574	STOCKWATER	LAWSON, EDWARD A. FROM	01-01	TO 12-31	.020 CFS	
R37-11574	DOMESTIC	LAWSON, EDWARD A. FROM	01-01	TO 12-31	.040 CFS	
R37-11574	FIRE PROTECTION	LAWSON, EDWARD A. FROM	01-01	TO 12-31	.110 CFS	
R37-11574	STOCKWATER	LAWSON, EDWARD A. FROM	01-01	TO 12-31	.020 CFS	
R37-12544	DOMESTIC	BRANDENBURGER, DON L. FROM	01-01	TO 12-31	.040 CFS	
R37-13001	DOMESTIC	STURDIVANT, PETER L. FROM	01-01	TO 12-31	.040 CFS	
A37-12353	DOMESTIC	PETER TRUST, JEROME D. MACK, TFROM	01-01	TO 12-31	.040 CFS	
R37-12353	DOMESTIC	PETER TRUST FROM	01-01	TO 12-31	.040 CFS	

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

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

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

1b. CALCULATIONS

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 15.00 AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(____) N(____)

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REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
TOTAL FOR THIS RIGHT				

REVIEWED BY: _____

DATE: _____

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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: 37-11828

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS			

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A37-11828	10.000	R37-11828	10.000	-	
-	R37-11828	10.000	R37-11828	10.000	-	
TOTAL CFS		20.000		20.000		

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE	FIELD EXAMINER
N	

REMARKS:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____
NAME OF FIELD EXAMINER: _____ TITLE: _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:46
06/02/90

PAGE: 14
QUICKLOOK INFORMATION

CLAIM NUMBER: A37-11828

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

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

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

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