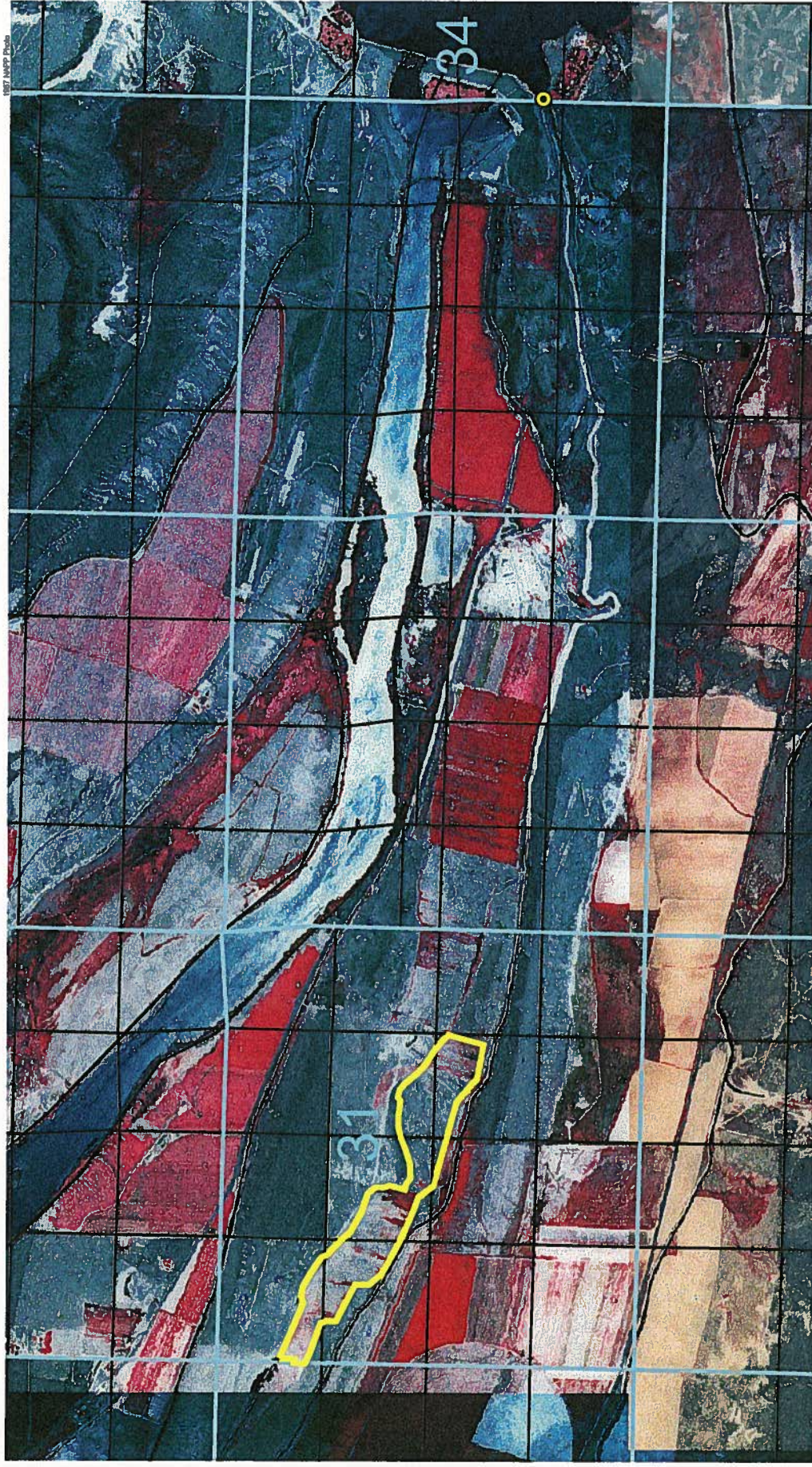


Idaho Department of Water Resources



0 1 2 3 4 5 Miles



- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

Claim Number: 02-00202A
Legal: T05S, R04E, S31 & S34
Reviewed By: JLD 8/5/05

08/05/2005

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

RIGHT NUMBER: 2-202A
NAME AND ADDRESS: THEODORE E CANTRELL
28294 RIVER RD
BRUNEAU ID 83604-5106

SANDRA K CANTRELL
28294 RIVER RD
BRUNEAU ID 83604-5106

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 1.100 CFS
PRIORITY DATE: 02/15/1925
POINT OF DIVERSION:

T05S R04E S34 NWSW Lot 10 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	1.100 CFS

PLACE OF USE: IRRIGATION Within OWYHEE County

T05S R04E S31	SWNE	8.0	T05S R04E S31 Lot 2 NWNW	8.0
T05S R04E S31 Lot 3	SWNW	13.0	T05S R04E S31 SENW	15.0
T05S R04E S31	NESW	2.0	T05S R04E S31 NWSE	12.0

58 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 02-00202.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

2-00202A

Proofs: Claim 2-202 in old adjudication with this comment, "Transferred from S. 25 & 36, T5S, R3E, Claiming part of predecessors', Lee & Holtzman, right acknowledged in agreement made 4/10/1952 and recorded Book 8, Bonds & Agreements, p. 453, Owyhee Co.

Proofs: Permit 15608 file includes a map showing land between Shoofly Creek and Extension/Mutual Canal as being irrigated.

Likely same priority date as 2-56.

Owner: tax lots match claimant

Priority date: claimed 6/1/1912, was originally part of land that should have been included in basin 51 1925 decree, therefore priority date can not be recommended prior to Feb 15, 1925.

POD: Idaho Power Canal as per 4/10/1952 Idaho Power agreement for Shoofly Farms/Lee and Holtzman

Source: Snake River via Idaho Power Canal

POU: 1974 aerial photography, sufficient acreage for transfer from land list in field exam for previous license

Use: Irrigation as per aerial photo, etc

Period: 3/15 -- 10/31 as per Idaho Power agreement

Quantity: original rights to 1 cfs as per Idaho Power agreement (covers claim for 0.5 cfs), claim for less than 0.02 cfs/acre

→ Acres were transferred from land originally irrigated by license 51-2250C to the lands claimed.

There remain sufficient acres from the previous license to enable the transfer to these lands, 1974 aerial photography shows irrigation on these lands.

51-2250 →

51-2250 →

→

claimed as

51-2250F →

claimed as →

51-2250E

Claim #	Diversion	Acres	Priority Date	Basis
2-29	190 cfs	6863	4/1/1952	BU
2-202A	1.1 cfs	58	6/1/1912	License
2-202B	.4 cfs	20	6/1/1912	License
2-203	150 cfs	6863	2/22/1904	Decree
2-2034	60 cfs	6863	2/12/1920	License
2-10141	122.73 cfs	6863	2/22/1904	License
2-10142	4.98 cfs	6863	2/22/1907	License

203 Decree: Third Court

Grandview Irrigation District

vs. Buckaroo Coop. Ditch Co. et al

Right #	Diversion	Acres	Priority Date	Basis
51-1	150 cfs		2/22/1904	Decree
2-2034	60 cfs	6863	2/12/1920	License
51-2250A	2 cfs	138	2/22/1904	License
51-2250B	.47 cfs	33	2/22/1904	License
51-2250C	34 cfs (74)	530	2/22/1904	License
51-2250D	115.28 cfs	5787	2/22/1904	License
51-2250E	4.98 cfs	249	2/22/1907	License

51-1 is 2-203 ✓

2-2034 is 2-2034 ✓

51-2250A + 51-2250B + 51-2250D = 2-10141

51-2250E is 2-10142

Claims

2-202A + 2-202B = 1.5 cfs 6/1/1912

2-29 190 cfs 4/1/52

Rights

51-2250C 34 cfs 2/22/1904

Claim #	Diversion	Acres	Priority Date	Basis
2-56	884 cfs 1.89	412	6/1/1912	BU
2-202A	1.1 cfs	58	6/1/1912	License
2-202B	.4 cfs	20	6/1/1912	License
2-x y z	1.02/AC 2.95	490 acres	4/6/1952	

→ some acres
match w/
51-2250C

Right #	Diversion	Acres	Priority Date	Basis
51-2250C	34 cfs 7 cfs irrigation 27 cfs power	530	2/22/1904	License

original in 2-56

Water Right #	Old #	Priority Date	Signed Date	Owner	Amount	Land List	Split Suffix	Basin 02 #
51-2250	559	2/22/1907	1/23/1924	Grand View Irrigation District	4.98	1	E	02-10142
51-2250	559	2/22/1904	6/19/1918	Grand View Irrigation District	115.28	2	D	
51-2250	559	2/22/1904	11/30/1915	Grand View Irrigation District	96	3	Cancelled	Cancelled
51-2250	559	2/22/1904	11/30/1915	James Garbutt	2	4	A	
51-2250	559	2/22/1904	11/30/1915	Loyal N. Massey	0.4714	5	B	
51-2250	559	2/22/1904	11/30/1915	Grand View Extension Irrigation Co	34	6	C	2-202
51-2250	559	2/22/1904		Grand View Irrigation District	122.73	Claim	F	02-10141

Water Claim #	Prev. Wa	Priority Date	Owner	Amount
02-00202 A	51-2250	6/1/1912	Ted & Sandy Cantrell	1.1
			Tracy & Tereasa Silver	
			Gilbert Wallers Farm (Farmers Home Admin)	
02-00202 B	51-2250	6/1/1912	Roland G Boatright	0.4
			Shoofly Ranch Inc/Mona L. Spaulding	
			Franklin, Rosanna, & Jennifer Ginn	

12/09/2005

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

RIGHT NUMBER: 2-202A

NAME AND ADDRESS: THEODORE E CANTRELL
28294 RIVER RD
BRUNEAU ID 83604-5106

SANDRA K CANTRELL
28294 RIVER RD
BRUNEAU ID 83604-5106

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.100 CFS

PRIORITY DATE: 06/01/1912

POINT OF DIVERSION:

T05S R04E S34 NWSW Lot 10 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	1.100 CFS

PLACE OF USE: IRRIGATION Within OWYHEE County

T05S R04E S31	SWNE	8.0	T05S R04E S31 Lot 2 NWNW	2.0	
T05S R04E S31 Lot 3	SWNW	15.0	T05S R04E S31	SENW	18.0
T05S R04E S31	NESW	3.0	T05S R04E S31	NWSE	14.0
60 ACRES TOTAL					

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 02-00202.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

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 2-202A
Date Received: ~~1/9/1991~~ 12/09/05
Receipt No: X999999
Received By:

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

1. Name of Claimant(s)

THEODORE E CANTRELL Phone: (208)834-2153

28294 RIVER RD
BRUNEAU ID USA 83604-5106

SANDRA K CANTRELL Phone: (208)834-2153

28294 RIVER RD
BRUNEAU ID USA 83604-5106

2. Date of Priority: 06/01/1912

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	04E	34	NW SW 10	OWYHEE	

5. Description of diverting works:

IDAHO POWER CANAL AT C.J. STRIKE DAM INTO GRAND VIEW CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	10/31	1.1	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
05S	04E	31	NW	NW	2	IRRIGATION	2
			SW	NW	3	IRRIGATION	15
			SE	NW		IRRIGATION	18
			NE	SW		IRRIGATION	3
			NW	SE		IRRIGATION	14
			SW	NE		IRRIGATION	8
					Section Acres	60	
					Total Acres	60	

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

14. Remarks:

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

15. Basis of Claim: License

16. Signature(s)

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

Number of attachments: _____

For Individuals:

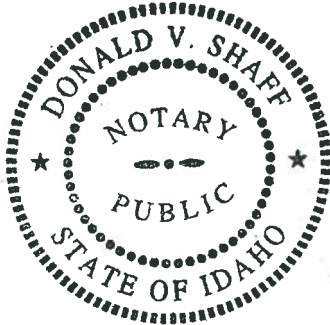
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Theodore E Cantrell Date: 12-9-05

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of December 2005



[Signature]
Notary Public

Residing at Boise ID
My commission Expires June 10, 2006

12/08/2005

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

RIGHT NUMBER: 2-202A

NAME AND ADDRESS: THEODORE E CANTRELL
28294 RIVER RD
BRUNEAU ID 83604-5106

SANDRA K CANTRELL
28294 RIVER RD
BRUNEAU ID 83604-5106

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.100 CFS

PRIORITY DATE: 02/15/1925

POINT OF DIVERSION:
T05S R04E S34 NWSW Lot 10 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	1.100 CFS

PLACE OF USE: IRRIGATION Within OWYHEE County

T05S R04E S31	SWNE	8.0	T05S R04E S31 Lot 2 NWNW	2.0
T05S R04E S31 Lot 3	SWNW	15.0	T05S R04E S31	SENW 18.0
T05S R04E S31	NESW	3.0	T05S R04E S31	NWSE 14.0

60 ACRES TOTAL

This right is limited to the irrigation of 58 acres within the place of use described above in a single irrigation season.

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 - Beneficial Use

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 02-00202.

11/09/2005

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 2, 2005

Water right number: 2-202A

THEODORE E CANTRELL
28294 RIVER RD
BRUNEAU ID 83604-5106
Telephone Number: (208)834-2153

SANDRA K CANTRELL
28294 RIVER RD
BRUNEAU ID 83604-5106
Telephone Number: (208)834-2153

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source): PRIORITY DATE, PLACE OF USE.

2. Describe the changes you wish to make in the proposed recommendation: THE LICENSE FOR THE RIGHT DESIGNATES A PRIORITY DATE OF 2/22/1907. THE PLACE OF USE SHOULD BE DESIGNATED AS 58 IRRIGATED ACRES WITHIN THE FOLLOWING 60 ACRE PERMISSIBLE PLACE OF USE.

T05S R04E S31	SWNE	8.0	T05S R04E S31 Lot 2	NWNW	2.0
T05S R04E S31 Lot 3	SWNW	15.0	T05S R04E S31	SENW	18.0
T05S R04E S31	NESW	3.0	T05S R04E S31	NWSE	14.0

3. Give a brief explanation as to why you disagree with these portions: THE LICENSE FOR THE RIGHT DESIGNATES A PRIORITY DATE OF 2/22/1907. THE PLACE OF USE SHOULD BE REVISED BASED ON THE AERIAL PHOTOGRAPH PROVIDED BY IDWR.

____ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11-29-05 SIGNATURE: Theodore E Cantrell

Please print your name: THEODORE E. CANTRELL

IDWR State Office, 322 E. Front St., P.O. Box 83720, Boise, ID 83720-3C98

Claim Number:

2-202A

Date:

11/29

Name of Contact:

led Cantrell

Notetaker:

SR

Notes:

priority date change?
minor POA mod

Cell # 599-0838

+ - cantrell@msn.com

JDOneRecord

NotesMM.Number	Proofs: Claim 2-202 in old adju
Date	
Notes	Proofs: Claim 2-202 in old adjudication with this comment, "Transferred from S. 25 & 36, T5S, R3E, Claiming part of predecessors', Lee & Holtzman, right acknowledged in agreement made 4/10/1952 and recorded Book 8, Bonds & Agreements, p. 453, Owyhee Co. Proofs: Permit 15608 file includes a map showing land between Shoofly Creek and Extension/Mutual Canal as being irrigated. Likely same priority date as 2-56. Owner: tax lots match claimant Priority date: claimed 6/1/1912, was originally part of land that should have been included in basin 51 1925 decree, therefore priority date can not be recommended prior to Feb 15, 1925. POD: Idaho Power Canal as per 4/10/1952 Idaho Power agreement for Shoofly Farms/Lee and Holtzman Source: Snake River via Idaho Power Canal POU: 1974 aerial photography, sufficient acreage for transfer from land list in field exam for previous license Use: Irrigation as per aerial photo, etc Period: 3/15 – 10/31 as per Idaho Power agreement Quantity: original rights to 1 cfs as per Idaho Power agreement (covers claim for 0.5 cfs), claim for less than 0.02 cfs/acre NEEDS: Resolution of recommendation from legal (with transferred water from basin 51, should have been included in the decree?)
Layout	☐
Creator	
CVR	☐
Pending	☐

12/05/2005

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

RIGHT NUMBER: 2-202A
NAME AND ADDRESS: THEODORE E CANTRELL
28294 RIVER RD
BRUNEAU ID 83604-5106

SANDRA K CANTRELL
28294 RIVER RD
BRUNEAU ID 83604-5106

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 1.100 CFS
PRIORITY DATE: 02/15/1925
POINT OF DIVERSION:

T05S R04E S34 NWSW Lot 10 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	1.100 CFS

PLACE OF USE: IRRIGATION Within OWYHEE County

T05S R04E S31	SWNE	8.0	T05S R04E S31 Lot 2 NWNW	2.0
T05S R04E S31 Lot 3	SWNW	15.0	T05S R04E S31	SEnw 18.0
T05S R04E S31	NESW	3.0	T05S R04E S31	NWSE 14.0

60 ACRES TOTAL

This right is limited to the irrigation of 58 acres within the place of use described above in a single irrigation season.

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 - Beneficial Use

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 02-00202.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

*as modified
(permissible PU)*

MEMO

TO: State Office File 51-2250C

FROM: Don Shaff 

DATED: 10-18-84

SUBJ: Number change

This part of license 559 was claimed in the current Snake River Adjudication. To reflect the diversion from the reservoir pool at C.J. Strike Dam, the number has been changed to 02-0202 and will be superseded by this numbered water right when decreed.

MICROFILMED

State of Idaho

License and Certificate of Water Right

Water License No. 559
Water District No. 57-A

Amount 4.98 cfs.
Priority 2-22-1907

THIS IS TO CERTIFY that R. D. Roberts & E. P. Hunter and Company of Grandview, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 22, 1904; that Permit No. 559 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 240 second feet, was issued thereunder on March 22, 1909, showing that said works were completed on the 20th day of February, 1909; and that on the 27th day of April, 1916,

Grandview Irrigation District

of Grandview, State of Idaho, made proof to the satisfaction of the State Engineer of Idaho, of the right to use the waters of Brunseau River, a tributary of Snake River, for the purpose of irrigation & domestic use, under Use Permit No. 559 of the State Engineer and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 2136, on the 23d day of January, 1924.

The right hereby confirmed dates from February 22, 1907;

The Point of Diversion is located within 1 1/2 miles of the mouth of Brunseau River at the dam located in the NE 1/4 of Sec. 1, Tp. 6 S., R. 4 E., County of Owyhee.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 4.98 cfs. entire foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 S.	2 E.	15	SW 1/4	40	8
		27	SW 1/4	40	32
		34	SW 1/4	40	1
			NE 1/4	40	9
		56	SW 1/4	40	10
			SW 1/4	40	14
4 S.	3 E.	31	SW 1/4	40	20
			SW 1/4	40	26
5 S.	3 E.	5	SE 1/4	40	7
		6	NE 1/4	40	5
		16	SW 1/4	40	20
		18	SW 1/4	40	20
		17	SE 1/4	40	7
		23	SW 1/4	40	17
		24	NE 1/4	40	20
		25	SW 1/4	40	18
5 S.	4 E.	33	SW 1/4	40	22

The use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESSED the seal and signature of the Commissioner of Reclamation, at Boise, Idaho, this 25th day of January, 1924.

H. G. SEYMOUR
Commissioner of Reclamation.

(Sigs.)