

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

For forwarding to:
1. Mr. J. L. ...
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100. Mr. J. L. ...

FOE

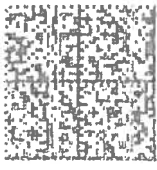
RECEIVED
NOV 25 2005
Department of Water Resources

RECEIVED
NOV 25 2005
Department of Water Resources

2-4608A, 2-4008B
Preliminary Report

HAZEL J STEEN
PO BOX 879
GLENN/FERRY ID 83623

ADDRESS SERVICE
REQUESTED
FIRST CLASS



UNITED STATES
02 1A
0004310639
MAILED FROM ZIP CODE 83702
\$00.830
NOV 18 2005
PITNEY BOWES

05/29/2003

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

RIGHT NUMBER: 2-4008B

NAME AND ADDRESS: JAMES R MARTELL
PO BOX 540
GLENN'S FERRY ID 83623

CARMELA M MARTELL
PO BOX 540
GLENN'S FERRY ID 83623

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.640 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 03/15/1930

POINT OF DIVERSION:

T05S R10E S31 NESESE Lot 1 Within ELMORE County Source: SNAKE RIVER

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	03/15 11/15	0.640 CFS

PLACE OF USE: STOCKWATER Within ELMORE County

T05S R10E S31 NESE T05S R10E S31 Lot 1 SESE

T05S R10E S32 Lot 5 NWSW

IRRIGATION Within ELMORE County

T05S R10E S31 NESE 19.0 T05S R10E S31 Lot 1 SESE 2.0

T05S R10E S32 Lot 5 NWSW 11.0

32 ACRES TOTAL

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

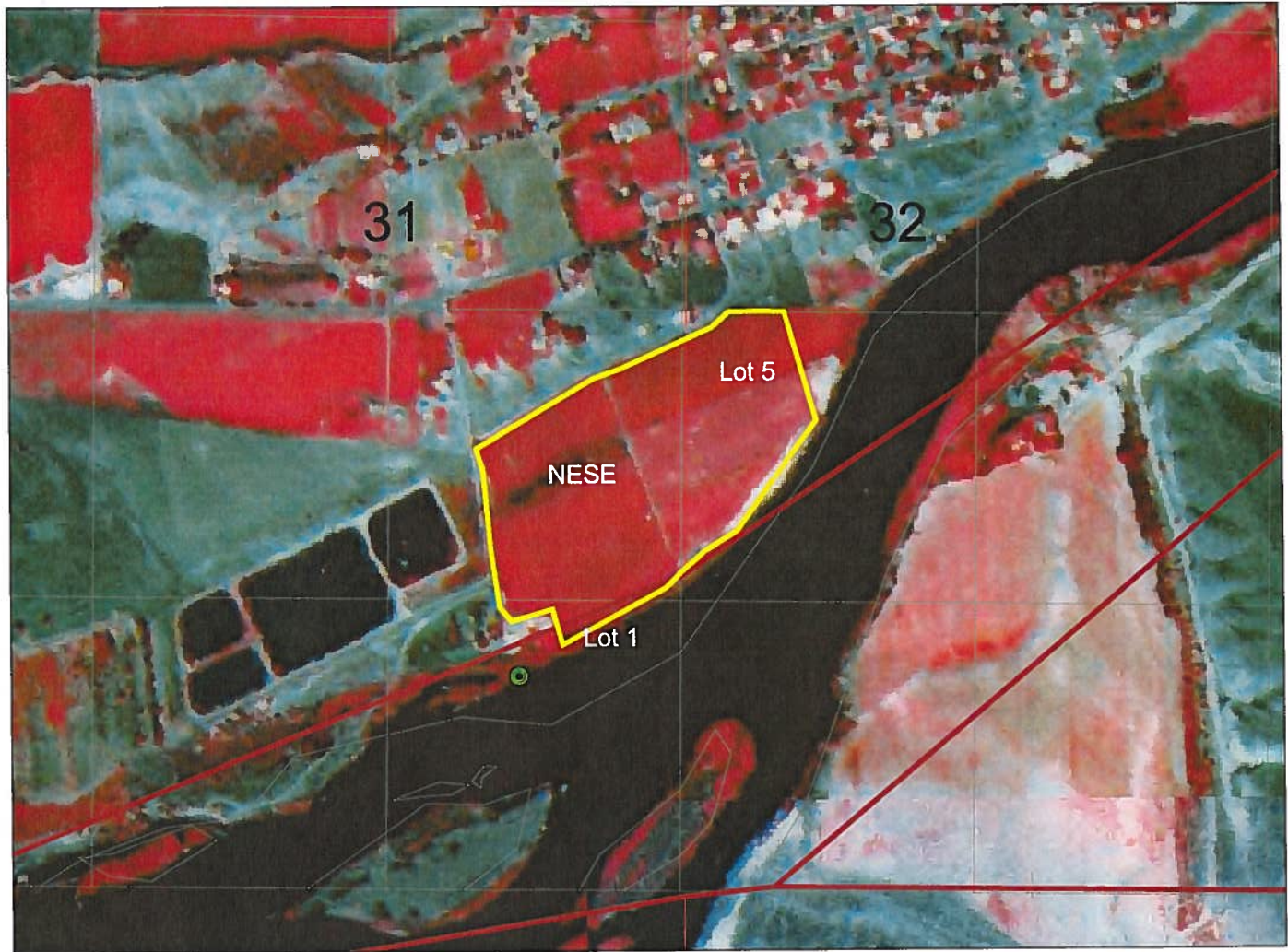
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

Idaho Department of Water Resources

Place of Use Layout 02-4008B



0 0.25 0.5 Miles

Township 5S Range 10E Sections 31 & 32



GIS Place of Use Presentation
1987 NAPP photography.
Map prepared by: Scott King
Date prepared: May 29, 2003

	Point of Diversion
	Place of Use
	PLSS Township
	PLSS Section Lines
	PLSS quarter-quarter lines

MEMO TO FILE

To: 02-4008B
From: Scott King *SK*
Date: May 29, 2003

Subject: recommendations

POU

Claimed number of acres is 41.9. I found 32 acres. There is an additional 2 acres in Lot 5, Section 32, northeast of the defined shape that looks irrigated from the same system, but Elmore taxlot data indicates this parcel is owned by another party (Farris) so that it was left off.

Don's earlier review of 2-4008 found about 35 acres. Good map in file. However, 1987 imagery and taxlots indicate 32 acres for part B.

POD

Digitized based on our prior investigations.

QUANTITY

Recommended 1"/acre, 0.64 cfs. Earlier measurement of 1.44 cfs.

PRIORITY

Affidavits in file dating use to 1930.

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: A02-04008B
Date Received: 10/31/1989
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES R MARTELL 208-366-2557
Address: P O BOX 540
GLENN'S FERRY ID 83623

OR

Name: CARMELA M MARTELL 208-366-2557
Address: P O BOX 540
GLENN'S FERRY ID 83623

2. Date of Priority: MAR 15, 1923

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
05S	10E	31	SE	SE		1	ELMORE

5. Description of diverting works:
PUMP, PIPELINE, GRAVITY DITCH FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.838		
STOCKWATER	01/01	12/31	0.020		0.07

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

8. Total consumptive use is 146.7 Acre Feet Per Annum.

9. Non-irrigation uses:
S/15 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	10E	31	NE	SE		IRR	22.0
			NE	SE		STOCK	
			SE	SE	1	IRR	1.9
			SE	SE	1	STOCK	
			Section Acres				23.9
		32	NW	SW	5	IRR	18.0
			NW	SW	5	STOCK	
			Section Acres				18.0
			Total Acres				41.9

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS FILED TO REFLECT THE ORIGINAL CLAIM FILED IN THE EARLIER 02 ADJUDICATION. THE CLAIMANT DID NOT AGREE WITH THE PREVIOUS EXAM COMPLETED SHOWING A TOTAL OF 35 ACRES.
NOTE: A PREVIOUS FEE OF \$45 PAID IN EARLIER SRBA DEDUCTED FROM THIS FILING FEE - \$93 WHICH LEAVES A \$48 FEE TO BE PAID NOW.
THIS FEE WAS SPLIT BETWEEN THE TWO OWNERS AND IS REFLECTED UNDER RECEIPT NO.'S M005036 & M005037(\$24 EA.).

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A02-04008B
Date Received: 10/31/1989
Receipt No: M005036
Received By: _____

Superceded

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES R. MARTELL 208-366-2557
Address: P.O. BOX 540
GLENNS FERRY, ID 83623

OR

Name: CARMELA MARTELL 208-366-2557
Address: P.O. BOX 540
GLENNS FERRY, ID 83623

2. Date of Priority: MAR 15, 1923

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
05S	10E	31	SE	SE	SE	1	ELMORE

5. Description of diverting works:
PUMP, PIPELINE, GRAVITY DITCH FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.330		
STOCKWATER	01/01	12/31	0.010		3.50

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

8. Total consumptive use is 58.1 Acre Feet Per Annum.

9. Non-irrigation uses:
S/15 RANGE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	10E	31	NE		SE		IRR	14.7
			NE		SE		STOCK	
			SE		SE	1	IRR	1.9
			SE		SE	1	STOCK	
Section Acres								16.6
Total Acres								16.6

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS FILED TO REFLECT THE ORIGINAL CLAIM FILED IN THE EARLIER 02 ADJUDICATION. THE CLAIMANT DID NOT AGREE WITH THE PREVIOUS EXAM COMPLETED SHOWING A TOTAL OF 35 ACRES.
NOTE: A PREVIOUS FEE OF \$45 PAID IN EARLIER SRBA DEDUCTED FROM THIS FILING FEE - \$93 WHICH LEAVES A \$48 FEE TO BE PAID NOW. THIS FEE WAS SPLIT BETWEEN THE TWO OWNERS AND IS REFLECTED UNDER RECEIPT NO.'S M005036 & M005037(\$24 EA.).

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 2, 1991

Hazel J. Steen
P.O. Box 879
Glenns Ferry, ID 83623

RE: Snake River Basin Adjudication (SRBA)
Elmore Co. - A02-04008A and B
Ownership Change

Dear Ms. Steen:

Thank you for your response to my letter requesting additional information on the ownership change. Elaine Cunningham of B.E.C. Realty submitted the exact information required to determine the legal description of your property. I did locate a previously submitted copy of the deed showing your and Martell's name.

Again, please review the two copies of claims referenced above and let me know if anything is not the way you had intended it to be.

I appreciate your effort in accomplishing this task.

Sincerely,

A handwritten signature in cursive script that reads "John D. Carlson".

John D. Carlson
Adjudication Supervisor

JDC:sf:state
Enclosures:
A02-04008A & B

MICROFILMED

AUG 07 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 2, 1991

B.E.C. Realty
Elaine Cunningham
P.O. Box 760
Glenns Ferry, ID 83623

RE: Snake River Basin Adjudication (SRBA)
Elmore County
Steen\Walker - Martell Change of ownership.

Dear Ms. Cunningham:

Thank you for your quick response in supplying me with copies of the record of survey for the above referenced realty transaction. The complete plat was just what I needed to finish the water right description, and the addendums supported the splitting of the rights.

For your information, I have enclosed copies of Claims A02-04008A and B to confirm that they are described as the claimants intend them to be. If everything is fine, no further contact is required on these.

Again, thank you for your cooperation and I look forward to any further transactions you might have on water rights.

Sincerely,

John D. Carlson
Adjudication Supervisor

JDC:sf:state
Enclosures:

A02-04008A & B

MICROFILMED

AUG 07 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 1, 1991

James and Carmela Martell
P.O. Box 540
Glenns Ferry, ID 83623

RE: Snake River Basin Adjudication (SRBA)
Elmore County A02-04008A and B
Change of Ownership

Dear Mr. and Mrs. Martell:

Thank you for pursuing the information on the above referenced matter. Elaine Cunningham of B.E. C. Realty submitted the information needed to make the changes requested.

Please review the attached copies of claims referenced above and let me know if they do not describe the rights as you expect them to be.

If you should have any further questions, please feel free to contact me.

Sincerely,

John D. Carlson
Adjudication Supervisor

JDC:sf:state *wst*
Enclosures:
A02-04008A & B

MICROFILMED
AUG 07 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 28, 1990

RECEIVED
NOV 28 1990

Department of Water Resources
Western Regional Office

Mr. & Mrs. James R. Martell
P.O. Box 540
Glenns Ferry, ID 83623

RE: Snake River Basin Adjudication (SRBA)
Elmore County, Claim #A02-04008B

Dear Mr. & Mrs. Martell:

Notice of the change in ownership of the above-referenced water right has been received from B.E.C. Realty showing a split of the water right between you, Mr. Walker and Ms. Steen. Based on our interpretation of that notice (copy enclosed), the Claim to Water Rights records of the Department have been changed to reflect this split.

A claim prepared from the Agency's computer is enclosed for your review and records. If you find our interpretation is incorrect, please contact us immediately. If all is in order, please keep this claim for your records.

Yours truly,

John D. Carlson
Adjudication Supervisor

JDC:sf:state:west

Enclosures:

Claim #A92-04008B

Ownership Change Copy

MICROFILMED

AUG 07 1992

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-04008 B Date: 6-21-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	55	10E	31													22			1.9	23.9
GIS																20			1.9	22
Claim			32										05							18
GIS													18							15
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 41.9

Overlapping FOU Claim #'s:

Total GIS Acres: 37

COMMENTS:

POU per County data & image interpretation. I included a parcel in NWSW Sec 32 which is owned by Farris.

POD per claim legal.

Idaho Department of Water Resources

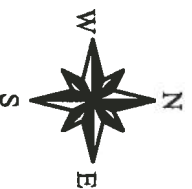
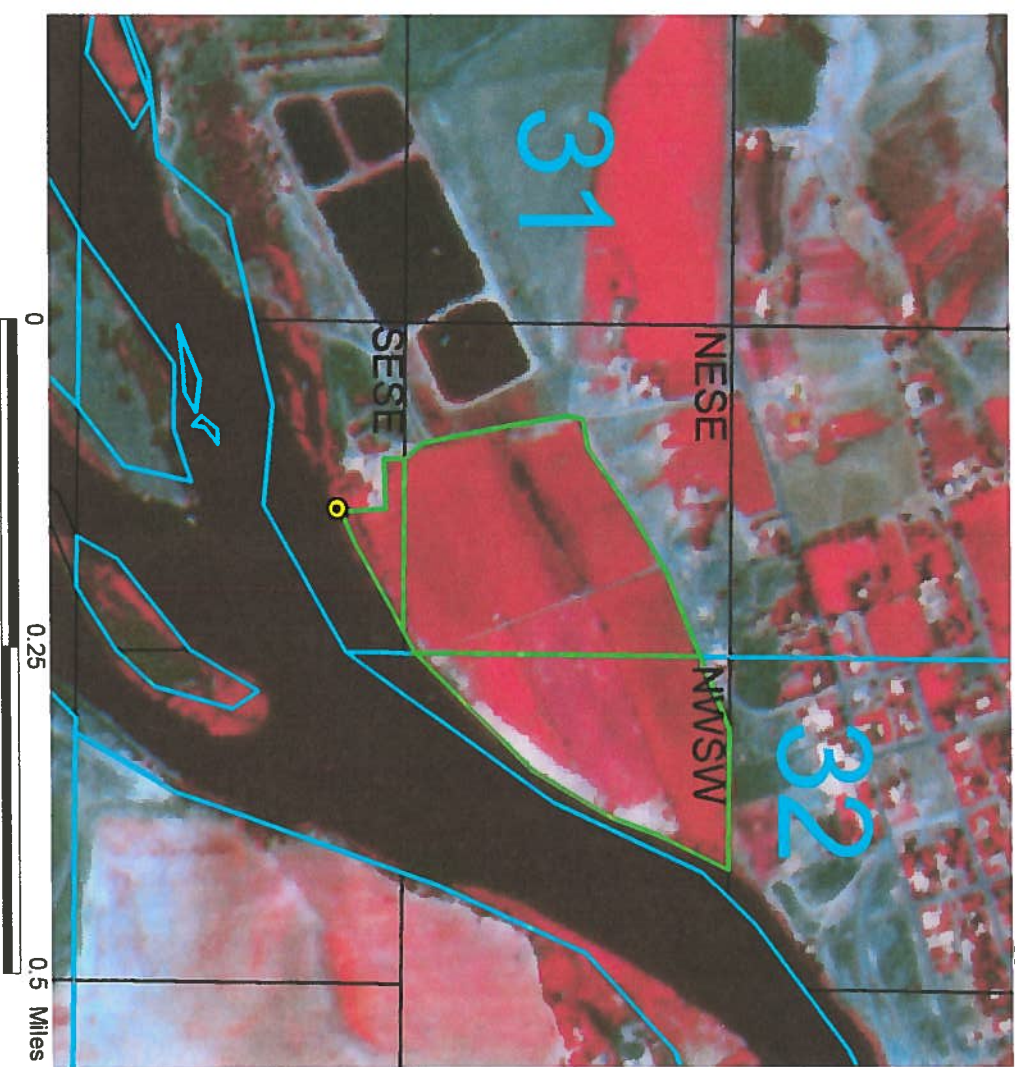
Claim Number: 02-04008B

Legal: T05S, R10E, S31, 32

Reviewed By:

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

1987 Napp Photo



Idaho Department of Water Resources

Claim Number: 02-04008B

Legal: T05S, R10E, S31, 32

Reviewed By:

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

1987 Napp Photo

